

DRUG CONTROL STRATEGIC PLAN



Table of Contents

Executive Summary	i
I. The Attorney General’s Vision for the Department’s Drug Control Efforts	1
II. The Scope of the Department of Justice Drug Control Strategic Plan	3
III. The Department’s Commitment to the Administration’s National Drug Control Strategy and Goals.	5
IV. Department of Justice Accomplishments and Highlights	7
V. Department of Justice Counterdrug Goals, Objectives, Efforts, and Indicators	11
A. National Drug Control Strategy Goal #1 - Educate and Enable America’s Youth to Reject Illegal Drugs as well as Alcohol and Tobacco	11
1. Department of Justice Demand Reduction Objectives	11
2. Department of Justice Demand Reduction Efforts.	12
3. Performance Indicators.	14
B. National Drug Control Strategy Goal #2 - Increase the Safety of America’s Citizens by Substantially Reducing Drug-Related Crime and Violence	15
1. Targeting Violent Crime	15
a. Department of Justice Anti-Violent Crime Objectives.	16
b. Department of Justice Anti-Violent Crime Efforts.	16
c. Performance Indicators.	18
2. Combating Money Laundering	18
a. Department of Justice Anti-Money Laundering Objectives	19
b. Department of Justice Anti-Money Laundering Efforts.	19
c. Performance Indicators.	21
3. Enhancing Asset Forfeiture Efforts	21
a. Department of Justice Asset Forfeiture Objectives	21
b. Department of Justice Asset Forfeiture Efforts	22
c. Performance Indicators.	23

DRUG CONTROL STRATEGIC PLAN

4. Assisting State and Local Agencies	24
a. Department of Justice Objectives to Assist State and Local Agencies	24
b. Department of Justice Efforts to Assist State and Local Agencies	25
c. Performance Indicators	31
5. Drug Testing and Treatment in the Federal Criminal Justice System.	33
a. Department of Justice Drug Testing and Treatment Objectives	33
b. Department of Justice Drug Testing and Treatment Efforts	33
c. Performance Indicators	34
C. National Drug Control Strategy Goal #3 - Reduce Health and Social Costs to the Public of Illegal Drugs.	35
D. National Drug Control Strategy Goal #4 - Shield America's Air, Land, and Sea Frontiers From the Drug Threat.	35
1. Department of Justice Border Security and Transit Zone Objectives.	36
2. Department of Justice Border Security and Transit Zone Efforts.	36
3. Performance Indicators.	38
E. National Drug Control Strategy Goal #5 - Break Foreign and Domestic Sources of Supply	38
1. Domestic Efforts to Disrupt and Dismantle Drug Trafficking Organizations	39
a. Department of Justice Domestic Objectives Relating to Drug Trafficking Organizations.	39
b. Department of Justice Domestic Efforts Targeting Drug Trafficking Organizations.	40
(1) Counterdrug Strategic Investigative and Intelligence Information	40
(2) Prosecutive Efforts by U.S. Attorneys.	41
(3) Organized Crime Drug Enforcement Task Force Program	42
(4) Southwest Border Initiative	43
(5) Enforcement Efforts in the Caribbean Region.	45
(6) Enforcement Efforts Against Trafficking in Methamphetamine and Precursor and Essential Chemicals.	46
(7) Enforcement Efforts Against Heroin Trafficking.	49
(8) Enforcement and Eradication Efforts Against Marijuana Trafficking.	50
c. Performance Indicators	51

DRUG CONTROL STRATEGIC PLAN

2. International Efforts to Disrupt and Dismantle Drug Trafficking Organizations	53
a. Department of Justice International Objectives Relating to Drug Trafficking Organizations.	54
b. Department of Justice International Efforts Targeting Drug Trafficking Organizations.	54
(1) Assisting Foreign Authorities in Disrupting and Dismantling International Components of Drug Trafficking Organizations.	54
(2) Requesting and Providing Mutual Legal Assistance	55
(3) Denying Safe Haven to International Drug Traffickers and Criminal Fugitives . . .	55
(4) Using Immigration Laws as an Effective Law Enforcement Tool	56
(5) Leading International and Multilateral Policy Coordination	57
(6) Enforcing the International Emergency Economic Powers Act	59
(7) Controlling Precursor and Essential Chemicals Diversion.	59
(8) Training Foreign Investigators and Prosecutors and Institution Building	60
c. Performance Indicators	61
VI. Key External Factors	63
VII. Evaluations to Refine and Develop Goals	67
Matrices of DOJ Counterdrug Objectives and Performance Indicators	69
Appendices	85

Department of Justice Drug Control Strategic Plan

Executive Summary

While drug use remained relatively stable in 1996, there are an estimated 13 million Americans who were “current drug users” (consuming an illicit drug in the past month), according to the *1998 National Drug Control Strategy*. This figure, although less than in previous years, is still much too high. Illicit drug trafficking and use remain complex problems facing this country, as they threaten the well-being of our nation’s youth and the social fabric of our communities and neighborhoods.

The economics of illicit drug markets are determined by two fundamental components: supply (availability) and demand (use). In order to have a lasting effect upon this illegal marketplace, the Department of Justice (DOJ) adopts a balanced attack.

The Department has developed a *Drug Control Strategic Plan* that addresses the problems posed by both illicit drug availability and drug use. This *Drug Control Strategic Plan* formulates a framework to implement concrete action plan items to combat these problems aggressively. The DOJ *Drug Control Strategic Plan* endeavors to implement the policy goals articulated by the Administration’s *National Drug Control Strategy*. Following the *1998 National Drug Control Strategy* and the Department of Justice Strategic Plan prepared pursuant to the Government Performance and Results Act, the DOJ *Drug Control Strategic Plan* draws upon the expertise, experience, and resources of numerous counterdrug components.

The principal counterdrug mission of the Department is to reduce the availability of illicit drugs in the United States. Enforcement of drug laws is a primary way to reduce availability and stem the tide of drug trafficking in the United States and its attendant criminal activities.

The *Drug Control Strategic Plan* articulates the vision of the Department’s future drug control efforts. In short, the Department will enhance its current intelligence architecture to ensure the greatest efficiency and expediency in collecting, analyzing, and disseminating intelligence information. Based upon such vital intelligence information, the Department will endeavor to compile a list of key multi-jurisdictional drug trafficking organizations and target them through all available law enforcement mechanisms. The Department will also utilize the intelligence information to bolster interdiction efforts and secure this nation’s borders. In addition, the Department will continue its efforts to reduce drugs grown or produced in this country (*i.e.*, marijuana and methamphetamine) and work with foreign governments to collect strategic counterdrug information and to build criminal justice institutions.

The Department will accomplish its counterdrug enforcement mission by effecting a comprehensive effort to disrupt and dismantle multi-jurisdictional drug trafficking organizations in the following ways:

DRUG CONTROL STRATEGIC PLAN

- **Effecting a coordinated, inter-agency approach to fight drug trafficking organizations.** A coordinated, inter-agency, “task force” approach is the best method for attacking sophisticated, multi-district, national drug trafficking organizations and its members. The Department, therefore, calls upon the substantial expertise, experience, and capabilities of its law enforcement components. The Department’s Organized Crime Drug Enforcement Task Force (OCDETF) program targets the highest level traffickers and organizations, by coordinating the collaborative efforts of nine Federal law enforcement agencies, working in conjunction with state, tribal, and local agencies. In addition, several Department law enforcement components provide leadership and work cooperatively with state and local agencies, as part of the High Intensity Drug Trafficking Areas (HIDTAs) program. The Special Operations Division, a multi-agency project consisting of the Drug Enforcement Administration, Federal Bureau of Investigation, U.S. Customs Service, and the Department’s Criminal Division, is designed to coordinate and provide resources for regional, national, and international criminal investigations and prosecutions against major drug trafficking organizations.

The Department has applied this coordinated, inter-agency approach by geographic region, as well as by drug type. The Department’s Southwest Border Initiative has achieved great success — through the inter-agency process — in attacking major international (primarily, Mexico-based) drug trafficking organizations. As a result of such accomplishments along the Southwest Border, the Department has commenced its regional Caribbean Initiative, closely coordinating with other law enforcement agencies, to focus on reducing the quantities of illicit drugs smuggled into the United States through the Southeast and Gulf Coasts.

In addition, the Department has initiated programs by drug type. The cocaine threat facing this country is primarily addressed through the OCDETF program and the Southwest Border Initiative. Further, the Administration’s *National Methamphetamine Strategy*, instituted in April 1996, has started to yield benefits that reduce the spread of this insidious, synthetic drug. In order to tackle the problems associated with methamphetamine trafficking and precursor chemical diversion, the *Strategy* (and its May 1997 *Update*) adopts a multi-disciplinary approach. Based upon the success of the *National Methamphetamine Strategy*, the Department is designing an action plan to fight heroin trafficking. Also, the Department continues to work with state and local agencies to attack the growing marijuana problem in this nation through enhanced enforcement and domestic eradication efforts.

- **Combating the counterdrug problems of local communities and neighborhoods.** As the chief Federal law enforcement officers in their districts, the U.S. Attorneys work with law enforcement agencies in their respective communities to develop and coordinate strategies and priorities. Indeed, the U.S. Attorneys, in conjunction with Federal, state, and local law enforcement agencies, are developing drug threat assessments and strategies for their respective districts. Based upon the threat assessments, the U.S. Attorneys, as community leaders, will develop and implement local drug strategies to address the particular threats and needs facing each of their districts.

Once the local strategies are compiled and assembled, they will be integrated into regional strategies and eventually incorporated into DOJ’s national *Drug Control Strategic Plan*. In addition, the Department provides substantial assistance to state, tribal, and local counterdrug enforcement efforts in a variety of forms — including joint task forces, training, technical assistance, resource funding, and grants.

DRUG CONTROL STRATEGIC PLAN

- **Reducing drug-related violence.** In March 1994, the Department implemented its Anti-Violent Crime Initiative. This Initiative recognized that the full array of U.S. law enforcement agencies were needed to address the violent crime in this country. The U.S. Attorneys, once again, take a leadership role in addressing the violent crime needs of their respective communities. Federal laws — including favorable evidentiary and procedural rules, as well as meaningful substantive offenses and appropriately severe penalties — have assisted law enforcement efforts in fighting drug-related violent crimes. The Department will continue to work with state, tribal, and local communities in partnerships to combat violent drug offenders.

In particular, DEA's Mobile Enforcement Team Program has deployed dedicated teams of DEA Special Agents to the local neighborhoods most in need of assistance. Similarly, FBI's Safe Streets Task Force Program seeks to identify and attack the major violent gang and drug enterprises threatening American communities.

- **Attacking drug trafficking through a financial sector approach.** The Department of Justice, working in close coordination with the Department of the Treasury, has made significant strides by targeting a particular financial sector and aiming to reduce its money laundering potential — for example, the enforcement of the Geographic Targeting Order. These Departments will continue to develop strategies which isolate corrupt financial sectors that launder funds on behalf of drug trafficking organizations.

In addition, the Department will make greater use of asset forfeiture as an offensive weapon to disrupt the financial operations and dismantle the economic structures of drug trafficking organizations. The asset forfeiture tool is used to deprive drug traffickers of their ill-gotten gains and to obtain detailed information about the hierarchies and financial associations within criminal organizations. In this way, the Department will utilize asset forfeiture, on a programmatic basis, to have a direct impact against certain industries or sectors that have been providing aid and assistance to drug traffickers.

- **Working cooperatively with foreign governments to develop productive counterdrug relations.** Drug trafficking is an international operation. Advances in telecommunications and transportation methods allow drug traffickers to sell their poison on the streets of the United States from locations outside the U.S. borders — without ever having set foot in the United States, or after having fled from the United States. The Department cannot permit such criminals to operate with impunity, threaten the safety of American citizens, and escape prosecution by cowardly hiding in another country.

As a matter of fundamental law enforcement policy, the Department strongly believes that persons should be brought before the courts in countries which have suffered the greatest harm and are positioned to ensure fair and effective prosecution. Therefore, the Department of Justice, in close coordination with the Department of State, is actively involved in negotiating modern extradition treaties to replace outdated instruments, create new ones where none previously existed, and permit the extradition of nationals.

In addition, the Department has established several overseas FBI and DEA outposts to work with foreign countries to gather and collect investigative information and develop meaningful international enforcement efforts. Further, the Department works with foreign countries to provide substantial training and technical assistance in an effort to support and develop criminal justice institutions of foreign governments. Also, the Department takes an active leadership role on international law enforcement issues through numerous bilateral and multilateral fora.

DRUG CONTROL STRATEGIC PLAN

The Department recognizes that the effect of law enforcement efforts is limited, and this nation cannot arrest, prosecute, or incarcerate its way out of the drug problem. To achieve long-term results, the Department, in conjunction with the efforts of other government agencies and organizations, must work to reduce the demand for illicit drugs; that is the only way this country will truly be able to put an end to the drug scourge. DOJ has worked jointly with several other Federal, state, and local agencies — notably, the Departments of Health and Human Services and Education, and Office of National Drug Control Policy — to implement numerous demand reduction programs aimed at reducing illicit drug demand.

The Department has been a leader in ensuring that juvenile issues are addressed appropriately within the criminal justice system. The Department focuses significant attention and resources on drug abuse prevention, particularly for juveniles, as well as drug testing and interventions that are effective in “breaking the cycle” between drug abuse and crime. In addition, recent research has shown that when drug testing is combined with effective interventions during incarceration and with after-care follow-on, drug use can be significantly curtailed, even with chronic drug abusers.

The Department is also working to encourage state and local criminal justice systems to implement comprehensive systems of drug testing, treatment, and graduated sanctions. In the Federal criminal justice system, the Department supports the Administrative Office of the U.S. Courts to implement a drug testing demonstration project for Federal arrestees. In addition, the Bureau of Prisons continues to test inmates and provide drug treatment to offenders while they are incarcerated.

Moreover, the Department is studying the nature and causes of drug offenses and related crimes and is testing, evaluating, and replicating effective approaches. Examples of efforts in this area include:

- Expanding Drug Courts;
- Working towards providing states with flexibility to use funds for comprehensive systems of drug testing, treatment, and sanctions;
- Expanding comprehensive systems of drug testing and treatment through the Breaking-the-Cycle model;
- Drug testing and monitoring programs; and
- Improving data collection techniques.

The Department of Justice acknowledges that it is but one contributor — albeit a significant one — in this nation’s counterdrug fight. Therefore, it must work collaboratively with other Federal, state, tribal, local, international, and private contributors in order to have a significant impact on the overall outcomes for this nation. At the same time, the Department recognizes that measuring its anti-drug efforts will be affected by many external factors, such as changing social structures, statutory responsibilities, budgetary resources, and allocations.

Through the process of compiling and drafting this *Drug Control Strategic Plan*, the Department has endeavored to articulate its objectives in each subject area, as well as its current efforts and indicators, which will be used to measure the Department’s performance results. The indicators are intended to provide the Department’s leadership, Congress, and, ultimately, the American public with a measuring stick to gauge the Department’s progress and hold it accountable for results achieved with the resources provided.

DRUG CONTROL STRATEGIC PLAN

The Department will continue to follow a comprehensive, coordinated approach to fight illicit drug trafficking, use, and their consequences — in an effort to protect our people, and especially the nation's youth, from the dangers of illicit drugs.

Janet Reno

I. The Attorney General's Vision for the Department's Drug Control Efforts.

The Attorney General directs and oversees the activities of more than 110,000 attorneys, investigators, correctional personnel, and other employees of the Department of Justice. The Department's drug control efforts and responsibilities are carried out by the following component organizations, in some capacity:

- The Drug Enforcement Administration (DEA) investigates violations of the controlled substances laws;
- The Federal Bureau of Investigation (FBI) investigates Federal drug-related crimes;
- The U.S. Attorneys and the litigating Divisions of the Department prosecute offenders and represent the interests of the United States in Federal court, and help develop and carry out policies and strategies on behalf of the Department;
- The U.S. Marshals Service (USMS) protects the Federal judiciary, apprehends fugitives, detains prisoners, and supports the Federal courts;
- The Immigration and Naturalization Service (INS) controls the border and enforces the nation's immigration statutes;
- The National Drug Intelligence Center (NDIC) provides strategic counterdrug information support to the law enforcement and intelligence communities;
- The Bureau of Prisons (BOP) incarcerates sentenced offenders;
- The Office of Justice Programs (OJP) and the Office of Community Oriented Policing

Services (COPS) assist state and local governments;

- OJP's National Institute of Justice (NIJ) develops and disseminates information about crime and justice issues;
- OJP's Bureau of Justice Statistics (BJS) collects, analyzes, publishes, and disseminates information on crime, criminal offenders, victims of crime, and the justice systems at all levels of government; and
- Other components help administer the Department's system of justice and advance its mission — most significantly, the Justice Management Division.

Beyond the programs described below in this *Drug Control Strategic Plan* and the successes achieved by the Department, the Attorney General has an overarching vision for the Department's future drug control efforts. The principal counter-drug mission of the Department is to reduce the availability of illicit drugs in the United States.

A primary focus of the Department's counter-drug enforcement efforts is to disrupt and dismantle drug trafficking organizations of a national and international scale that ply their trade across the United States. In order to combat such organizations, DOJ must focus its efforts — where most complex investigations start — on the collection and analysis of strategic intelligence information. The Department must gather, compile, assemble, and integrate information from all sources, including the law enforcement agencies and prosecutors' offices; national, regional, and local drug intelligence centers; financial databases; and the intelligence community, as appropriate.

Currently, the Department, Office of National Drug Control Policy, and Central Intelligence

DRUG CONTROL STRATEGIC PLAN

Agency are coordinating an inter-agency effort (including the Departments of the Treasury, State, Defense, and Transportation) to review the U.S. drug intelligence architecture. This review entails an inter-departmental effort to study the law enforcement and intelligence community structures and capabilities with the objective of enhancing the efficiency of collection, analysis, and dissemination of useful information. The Special Operations Division, a multi-agency investigative and strategic coordinating entity, appears to set a prime example for how intelligence coordination should work.

Once this review is complete and its recommendations acted upon, the Department will be able to formulate a targeted action plan based upon the strategic intelligence product. Based upon the investigative and strategic intelligence information collected and analyzed, the Department will be better equipped to identify key multi-jurisdictional drug trafficking organizations.

The Department will then be positioned to refine its comprehensive plan of action to attack the major drug trafficking organizations operating in this country. These drug trafficking organizations must be attacked nationally, as well as regionally and locally. Therefore, the DOJ plan of action will be an evolving one, coordinated closely with input from the field. DOJ will implement its plan through existing regional (Organized Crime Drug Enforcement Task Force Program and High Intensity Drug Trafficking Areas) and local task forces. The Department must also ensure that the same intelligence information is collected by and disseminated to border security forces in a timely manner in order to enhance interdiction efforts.

The Department will implement this plan by arresting, prosecuting, convicting, and incarcerating members of these multi-jurisdictional drug trafficking organizations and forfeiting their ill-gotten wealth. Further, the Department will enhance efforts to reduce the production of drugs grown and/or produced in this country — particularly in the areas of eradication of marijuana crops grown domestically and dismantlement of clandestine methamphetamine laboratories. The U.S. Attorneys and other Federal law enforcement agencies also will contin-

ue to provide support and leadership to state and local governments in their enforcement efforts.

On the international front, the Department must continue to combat illicit drug trafficking by working with source and transit countries (the “Southern Frontiers,” to include Mexico, Central America, Caribbean countries, and South America), as well as along the Northern Border (shared with Canada) and out to Southeast and Southwest Asia. Moreover, the Department will continue its efforts to deny safe haven to international drug traffickers and other criminal fugitives. The Department will bolster training efforts overseas of foreign investigators and prosecutors and develop institutional reform in other countries to encourage effective and fair criminal justice systems through their laws and processes.

With respect to reducing drug use, the Department will accomplish its objectives by developing aggressive education and prevention programs. It will work in partnerships with local communities and organizations to proclaim the message to America’s youth that illicit drug use is dangerous and unacceptable. The Department will continue to provide funding and technical assistance to state and local government agencies to support their demand reduction efforts. The Department will also continue to encourage the use of coercive leverage of the criminal justice system to deter illicit drug use, *e.g.*, Drug Courts. DOJ will further provide drug treatment to Federal inmates through a variety of substance abuse counseling and after-care programs, and it will support state and local agencies who provide similar programs of testing and treatment interventions.

Through this comprehensive, balanced attack, the Department aims to reduce illicit drug trafficking, use, and related consequences to the greatest extent possible.

II. The Scope of the Department of Justice Drug Control Strategic Plan.

DOJ has been directed by both houses of Congress to develop this *Drug Control Strategic Plan*. See Appendix A (Congressional Requirement). Through this *Drug Control Strategic Plan*, the Department provides a detailed look into DOJ's counterdrug activities and its plans for the future. In addition, the Department sets realistic objectives for its programs and reasonable indicators against which it will measure performance and results. The indicators are intended to provide the Department's leadership, Congress, and, ultimately, the American public with a measuring stick to gauge the Department's progress and hold it accountable for results achieved with the resources provided. The

Department intends to report its performance results to Congress periodically, as required.

The Department's *Drug Control Strategic Plan* is fully consistent with the Administration's 1998 *National Drug Control Strategy* (including its Performance Measures of Effectiveness), the Department of Justice Strategic Plan (Fiscal Years 1997-2002), the Department's Summary Performance Plan for Fiscal Year 1999, and the performance plans and budget proposals of the Department's component organizations. Furthermore, the *Drug Control Strategic Plan* will be implemented consistent with the President's budget in fiscal years 1999, and thereafter.

III. The Department's Commitment to the Administration's National Drug Control Strategy and Goals.

As required by the Federal Anti-Drug Abuse Act of 1988, Presidential Administrations have announced nine *National Drug Control Strategies* as guides to combat the use and trafficking of illicit drugs. The *1998 National Drug Control Strategy* emphasized that no single approach can rescue the nation from the cycle of drug abuse. Indeed, supply reduction efforts must be complemented by drug prevention, education, and treatment programs.

The Administration's *1998 National Drug Control Strategy* sets overall strategy, goals, targets, and measures for the entire national counterdrug effort. The *DOJ Drug Control Strategic Plan* endeavors to put into action the overarching policy articulated by the Administration. Following the Administration's *1998 National Drug Control Strategy*, the *DOJ Drug Control Strategic Plan* adopts a comprehensive, balanced attack against illicit drug trafficking, use, and their consequences.

The Administration's Goals, as articulated in the *1998 National Drug Control Strategy*, are as follows:

Goal #1 - Educate and Enable America's Youth to Reject Illegal Drugs As Well as Alcohol and Tobacco.

Goal #2 - Increase the Safety of America's Citizens by Substantially Reducing Drug-Related Crime and Violence.

Goal #3 - Reduce Health and Social Costs to the Public of Illegal Drug Use.

Goal #4 - Shield America's air, land, and sea frontiers from the drug threat.

Goal #5 - Break foreign and domestic sources of supply.

See Appendix B (Objectives for the Administration's National Drug Control Strategy).

The reader should recognize, however, that the Department of Justice is but one contributor to the national drug control effort. There are many other contributors — including other Federal Executive Branch agencies; other branches of the Federal Government; foreign governments; state, tribal, and local governments; communities and organizations throughout the country; and, most of all, families. All contributors must actively participate in the nation's counterdrug efforts in order to achieve success.

IV. Department of Justice Accomplishments and Highlights.

Between fiscal years 1992 and 1998, the Department's drug-related resources increased at an average annual rate of approximately nine percent. *See Appendix C.* During this period, the Department's resolve and capacity to fight illicit drug use and trafficking have grown even stronger.

From fiscal year 1992 to fiscal year 1997, the number of Federal drug cases filed increased nearly 21% — from 9,897 to 11,935. In addition, the number of defendants charged in Federal drug cases during this time rose approximately six percent (from 22,259 to 23,542).

The allocated resources have been used to hire, train, and deploy thousands of additional investigators, intelligence analysts, and prosecutors; assist state and local governments in putting 70,000 more police officers on the beat (83,000 by the end of fiscal year 1998) and implementing anti-drug programs; and expand cooperative international efforts, including the opening of additional DEA overseas offices (such as one in Pretoria, South Africa) and placement of attorneys overseas (for example, in Bogota, Colombia). The funds have been used to launch and sustain the Southwest Border Initiative, a major coordinated attack against Mexican drug trafficking organizations operating along and across the border; and to mount similarly targeted and coordinated efforts to meet shifting drug trafficking patterns and threats, including the Organized Crime Drug Enforcement Task Force Program (OCDETF), *National Methamphetamine Strategy*, Caribbean Initiative, and heroin action plan. *See discussions below describing each of these programs in greater detail.*

A few examples of the Department's counter-drug successes are highlighted:

- **Operation META:** As part of the Southwest Border Initiative, OCDETF program, and *National Methamphetamine Strategy*, Operation META was the first national operation targeting

an international methamphetamine production and distribution organization from top to bottom. The targeted domestic organization had identifiable links to the Mexico-based Amezcua Contreras Organization, which is believed to supply the Operation META targets with methamphetamine, precursor chemicals, and cocaine. To date, the investigation has resulted in the arrest and prosecution of more than 120 individuals and the destruction of 3 clandestine methamphetamine laboratories, as well as the seizure of more than 1,100 kilograms of cocaine, 130 pounds of methamphetamine, nearly 1,700 pounds of marijuana, 50 grams of heroin, \$2.3 million of alleged drug proceeds, and 12 weapons.

- **Operations RECIPROCITY and LIME-LIGHT:** As part of the Southwest Border Initiative and OCDETF program, the investigation targeted various cells of the Amado Carrillo Fuentes Organization in 10 U.S. cities. From the evidence developed based upon court-authorized electronic surveillance and other investigative techniques, more than 100 individuals were arrested and charged, and more than 11 tons of cocaine and 14,000 pounds of marijuana were seized.
- **Prosecution of Arellano Felix Cell:** As part of the Southwest Border Initiative, there are four indictments charging 13 members of the Arellano Felix Organization with drug trafficking and one member with weapons offenses. The indictments include allegations of multi-ton shipments of cocaine and marijuana into the United States, transported on behalf of Colombian trafficking organizations. Once the drug shipments arrived in the United States, the Arellano Felix Organization returned the drugs to Colombian individuals residing in the U.S.

DRUG CONTROL STRATEGIC PLAN

and as payment for their transportation services, received a portion of the drug shipments.

- **New York/New Jersey Geographic Targeting Order.** The Department of Justice, in close coordination with the Department of the Treasury, used a Geographic Targeting Order (GTO) to deal a major blow to Colombian drug cartels by restricting their access to the New York City area money transmitters. This New York/New Jersey GTO dramatically reduced the flow of illicit funds through these businesses to Colombia, forcing drug traffickers to resort to riskier activities. In the first six months after the GTO was issued, Customs' cash seizures at eastern ports increased approximately 400 percent over the same period for the previous year. Millions of dollars of drug proceeds — normally returned to Colombia through money remitters in the New York/New Jersey area — were flushed back onto the streets or sent outside the United States.
- **Capture, Prosecution, Conviction, and Incarceration of Juan Garcia Abrego:** Juan Garcia Abrego, a major Mexico-based drug trafficker and leader of the formerly known Gulf Cartel, was convicted of importing tonnage quantities of marijuana and cocaine into the United States over a 10-year period. On January 31, 1997, he was sentenced to serve 11 concurrent life sentences for drug trafficking, 9 concurrent 20-year sentences for money laundering offenses, and he was ordered to pay more than \$128 million in fines and forfeit \$350 million.
- **Operation ZORRO II:** As part of the Southwest Border Initiative and OCDETF program, this eight-month investigation involved unprecedented cooperation from 10 Federal law enforcement agencies, more than 40 state and local agencies, and 10 U.S. Attorneys' Offices. The investigation resulted

in the disruption of Colombian and Mexican importation, transportation, and distribution networks operating in the United States. In total, more than 100 defendants were prosecuted, and nearly 5,600 kilograms of cocaine, 730 grams of crack cocaine, and 16 firearms were seized.

- **International Asset Forfeiture of \$200 Million.** The Department was responsible for securing a commitment from the Government of Switzerland to repatriate approximately \$200 million held in Swiss banks. These funds were once controlled by noted cocaine traffickers Julio Nasser David and his ex-wife, Sheila Arana de Nasser.
- **Conviction of Organization Leader Smuggling Drugs Through a Tunnel.** As part of the Southwest Border Initiative and OCDETF program, Enrique Avalos Barriga was convicted for operating a Continuing Criminal Enterprise (drug kingpin statute), as the primary lieutenant for the Mexico-based trafficking organization headed by Joaquin Guzman Loera. The Guzman Loera organization was responsible for transporting more than eight tons of cocaine into the United States and specialized in transporting cocaine into the United States in many devious ways — including a 1,450-foot secret tunnel under the border from Agua Prieta, Mexico to Douglas, Arizona, intended for couriers to hand-carry drugs into the United States. Avalos was sentenced to life imprisonment and ordered to forfeit \$9.6 million.
- **Largest Methamphetamine Seizure in the United States.** As part of the *National Methamphetamine Strategy* and OCDETF program, 11 defendants were indicted in the District of New Mexico, following the February 1995 seizure of almost 700 pounds of methamphetamine and 200 pounds of marijuana. Two of the defendants, Hector Barron

V. Department of Justice Counterdrug Goals, Objectives, Efforts, and Indicators.¹

A. National Drug Control Strategy Goal #1 – Educate and Enable America’s Youth to Reject Illegal Drugs as well as Alcohol and Tobacco.

Reducing demand for illicit drugs and alcohol — especially for America’s youth — is essential to having a substantial and lasting effect on achieving reduced drug use in the United States. While law enforcement and interdiction efforts are essential components to stem the tide of illicit drugs into the United States, demand for drugs must also be suppressed. Both components — decreasing drug use and reducing drug availability — are critical to the fight; as well, they are complementary of one another.

1. Department of Justice Demand Reduction Objectives.²

The Department of Justice’s objectives to reduce demand for illicit drugs and alcohol among youth include the following:³

- To disseminate information regarding prevention programs, including the findings of research and evaluation studies, and to identify drug prevention organizations or groups which promote promising prevention practices and strategies;
- To develop research-based principles and support school-based and community-based models for drug prevention programs, in concert with Federal, state, and local agencies, national and community organizations, and tribal jurisdictions;
- To increase youth perceptions of risk that use of illicit drugs and alcohol is harmful through anti-drug messages, especially messages aimed at more vulnerable population groups; and
- To develop and implement a national program for promoting mentor and parent organizations to assist in explaining to youths the risks and dangers associated with illicit drug and alcohol use.

¹ Because the scope and mandate of the Department of Justice counterdrug efforts are different from that of other Federal agencies or organizations, such as the Office of National Drug Control Policy, its counterdrug programs do not fit neatly into each *National Drug Control Strategy* Goal. Therefore, the Department has attempted to place DOJ counterdrug programs into the most appropriate Goal. DOJ programs, however, frequently address issues related to more than one *National Drug Control Strategy* Goal.

² The reader should note the Matrices that follow the text of the *Drug Control Strategic Plan*. The Matrices articulate the Objectives and Performance Indicators for each of the *National Drug Control Strategy* Goals and topic headings, in a side-by-side format.

³ The Department of Justice will continue to coordinate its demand reduction programs and efforts closely with other Government agencies that engage in the same or similar activities — *e.g.*, the Departments of Health and Human Services and Education, and the Office of National Drug Control Policy.

DRUG CONTROL STRATEGIC PLAN

2. Department of Justice Demand Reduction Efforts.

Department of Justice programs aim to reduce the demand for illegal drugs and alcohol through a variety of youth-oriented programs. Its demand reduction efforts are established and maintained through educational outreach to communities, schools, employers, and the public.⁴ See discussion pertaining to illicit drug demand reduction under Section I. of this *Drug Control Strategic Plan* (“The Attorney General’s Vision for the Department’s Drug Control Efforts”).

a. Office of Justice Programs.

The Department’s Office of Justice Programs administers a number of programs targeted at reducing illicit drug use among youth. OJP drug prevention programs target youngsters from a variety of economic, social, and family circumstances. Through extensive community involvement, these programs teach teenagers self-esteem, problem-solving, and decision-making skills which help in resisting peer pressure and equip teens with the ability to make responsible decisions. Research indicates that youth who possess these skills have a higher likelihood of resisting peer pressure to experiment with illicit drugs and alcohol.

In addition, these programs engage the community to participate actively in drug demand reduction activities. Program elements are focused on building safer and stronger neighborhoods through the development of coalitions and partnerships among law enforcement, schools, religious organizations, businesses, residents, other public and private service providers, and youth.

Several OJP demand reduction programs have been successfully aimed at youth prevention; for example:

- Through its fiscal year 1998 Drug Prevention Program, the Office of Juvenile Justice and Delinquency Prevention (OJJDP) will develop, demonstrate, and test programs to increase the perception among children and youth that drug use is risky, harmful, and unattractive.
- In fiscal year 1998, OJJDP will administer a new program which focuses on combating underage drinking through prevention and enforcement activities.
- OJJDP, in coordination with the Department of Health and Human Services, is administering a training and technical assistance program to address entrenched family problems caused by substance abuse.
- The National Citizens’ Crime Prevention Campaign focuses on enabling individuals, civic organizations, and Federal, state, and local government agencies to reduce crime, violence, and drug use, and building better, safer, and more caring communities.
- OJJDP’s Juvenile Mentoring Program seeks to reduce delinquency, gang participation, violence, substance abuse, and related behavior. At the same time, this Program enhances the educational opportunity, academic achievement, investments in school, and contribution to one’s community.
- The Department’s Operation Weed and Seed provides a platform — through its 100 sites — to deliver the appropriate message to parents and communities. The Weed and Seed sites will expand the existing Drug Education For Youth (DEFY) program developed to reduce youth demand for illegal drugs. DEFY is a drug prevention partnership between the

⁴ Many of the Department’s demand reduction programs assist agencies of tribal jurisdictions.

DRUG CONTROL STRATEGIC PLAN

Departments of Justice and the Navy, which offers high-risk youths an alternative to drug-related activities by providing summer camps and mentoring programs. By teaching the importance of education, health, physical fitness, and citizenship to children (9- to 12-year olds), DEFY combats the temptations and peer pressure associated with drugs and gangs. *See* discussion pertaining to Operation Weed and Seed under Section V.B., *National Drug Control Strategy* Goal #2.

- The Department's Title V Community Prevention Grants Program provides grants to units of local government to assist in developing comprehensive community plans to address juvenile delinquency, including the factors that lead to drug abuse.

b. U.S. Attorneys' Leadership in Drug Prevention.

Through the Law Enforcement Coordinators, the U.S. Attorneys bring together the community leaders, clergy, and Federal, state and local law enforcement representatives to address the drug prevention needs of the community. Their efforts focus on providing information to students and youths regarding the dangers of illicit drugs.

In addition, the U.S. Attorneys continue to promote drug prevention programs, such as the National Red Ribbon Week and National Crime Night Out. The National Red Ribbon Week began as a public demonstration commemorating the tragic torture and murder of DEA Special Agent Enrique "Kiki" Camarena in Mexico, and it has become an annual occurrence showing this nation's commitment to a "Drug Free America." The National Crime Night Out is an annual crime and drug prevention event first celebrated in 1984 and sponsored by the National Association of Town Watch; it currently reaches more than 23 million people.

c. DEA Demand Reduction Program.

DEA's Demand Reduction Section provides leadership, coordination, and resources for drug prevention and education to stimulate, support, and coordinate prevention activities throughout the agency. The Demand Reduction Section oversees the development of public awareness strategies and directs prevention activities conducted by the Field Division's 22 Demand Reduction Coordinators (DRCs).

DRCs are Special Agents, usually with substantial investigative experience, who work closely with local, state, and regional law enforcement, community leaders, educators, employers, and prevention specialists. With the goal of building community support for effective drug enforcement and educating the public about the dangers of drug use, DRCs identify opportunities to provide information, leadership, and support to local, state, and regional institutions and organizations.

Since 1991, DEA DRCs have been guided by a national strategy developed by the Demand Reduction Section at DEA Headquarters. DEA has joined forces with other organizations, such as the Boys & Girls Clubs of America, Boy Scouts of America, state drug prevention agencies, and educational institutions to teach parents, instructors, school administrators, community leaders, employers, and employees about drug prevention programs at the local, state, and regional levels.

d. FBI Community Outreach Program.

FBI's Community Outreach Program links community service, drug abuse prevention, and law enforcement in a comprehensive effort to address multiple inter-related societal problems. FBI conducts several local demand reduction programs which aim to build partnerships with the local communities, schools, and employers and businesses to address the root cause of illicit drug use. Further, the Community Outreach Program projects a positive image of the FBI and enhances communications within many localities.

DRUG CONTROL STRATEGIC PLAN

3. Performance Indicators.⁵

The Department of Justice⁶ will track the following information in order to report on its drug demand results:⁷

Proportion of persons and organizations receiving disseminated information regarding

prevention programs. [Targeted rate: 10 percent increase; reported annually.⁸] [Reporting DOJ component:⁹ OJP]

- Progress in implementing and developing national and local drug and alcohol prevention models and principles. [Reporting DOJ component: OJP]

DRUG CONTROL STRATEGIC PLAN

- Number of communities assisted in developing drug and alcohol demand reduction programs for youth. [Targeted number: 90 communities annually.] [Reporting DOJ component: OJP]
- Number of Operation Weed and Seed/Drug Education For Youth sites. [Targeted number of sites: 60 within the next two years.] [Reporting DOJ component: OJP]
- Number of Federal, state, tribal, and local law enforcement officers trained in the area of drug demand reduction. [Targeted number: 7,000 officers trained in demand reduction annually.] [Reporting DOJ components: DEA/FBI]
- Number of different types of media messages developed by the Department that target youth and parents to discourage drug and alcohol use. [Targeted number: Four types of media messages; reported annually.] [Reporting DOJ component: OJP]
- Number of hits on OJP internet site for anti-drug messages, programs, and activities. [Targeted rate: 20 percent increase over the next two years; reported annually.] [Reporting DOJ component: OJP]
- Number of parents and adult mentors who attempt to influence youth to reject illicit drugs and alcohol. [Targeted rate: 20 percent increase within the next year; reported annually.] [Reporting DOJ component: OJP]
- Progress in developing and implementing demand reduction programs, including the Department's mentoring and parental programs, community prevention efforts, and Methamphetamine Interagency Task Force. [Reporting DOJ component: OPD]

B. National Drug Control Strategy Goal #2 - Increase the Safety of America's Citizens by Substantially Reducing Drug-Related Crime and Violence.

The Department of Justice aims to increase the safety of American citizens in the following ways:

- Targeting Violent Crime;
- Enhancing Anti-Money Laundering Efforts;
- Enhancing Asset Forfeiture Efforts;
- Assisting State and Local Efforts; and
- Drug Testing and Treatment in the Federal Criminal Justice System.

1. Targeting Violent Crime.

Violent acts — whether committed by organized criminal enterprises motivated by greed, by street gangs, or by the irrational acts of an individual — pose a dangerous threat to this nation. The spread of violence is caused, in large measure, by the domestic drug trade. Street gangs and drug trafficking organizations use violence to protect and maintain control of their drug distribution monopolies.

Gangs have become an increasingly powerful and deadly force; violent gangs are having a major impact on the quality of life in not only urban centers, but also in a growing number of rural communities throughout the nation. From the highly structured prison and motorcycle gangs with a national presence, to the less organized, drug trafficking neighborhood “crews,” gangs have brought a frightening level of violence to small towns and major metropolitan areas alike. Although violent crime is traditionally addressed by the state and local law enforcement agencies, the Federal role has become crucial in providing support, leadership, statutory mechanisms, and coordination.

DRUG CONTROL STRATEGIC PLAN

a. Department of Justice Anti-Violent Crime Objectives.

The Department of Justice's objectives to reduce violent crime include the following:

- To identify, disrupt, and dismantle major and emerging drug trafficking organizations, including street gangs, engaged in violent activity;
- To apprehend violent Federal fugitives charged with drug offenses; and
- To support comprehensive strategies against violent crime through promotion of effective Federal, state, and local partnerships.

b. Department of Justice Anti-Violent Crime Efforts.

The Department's violent crime reduction efforts are implemented through the Attorney General's *Anti-Violent Crime Initiative (AVCI)*, which recognizes that the causes of violent crime are multi-dimensional and that the full array of this nation's law enforcement agencies are needed to address the problem. The *AVCI* was designed and developed in response to an escalating violent crime rate and in recognition that the problem demanded a comprehensive strategy.

The *AVCI* provides the framework to draw upon the talents and experiences of various Federal agencies, while coordinating efforts to craft and carry out anti-violence programs tailored to local needs. The unique combination of Federal, state and local resources provides law enforcement personnel with a wide array of investigative and prosecutive tools to attack violent crime at all levels. This approach draws upon the expertise of each participating agency. Whereas state and local law enforcement is likely to have the necessary strategic information and experience on local gangs, Federal agents can utilize state-of-the-art investigative tech-

nology, witness security programs, and sophisticated laboratory analysis of evidence.

Further, Federal cases are prosecuted in accordance with favorable evidentiary rules and statutory tools (including pretrial detention and mandatory minimum sentences). In addition, a Federal prosecutor may utilize substantive offenses, such as violations of Racketeer Influenced and Corrupt Organizations (RICO), Continuing Criminal Enterprise (CCE), Violent Crimes in Aid of Racketeering, Interstate Travel in Aid of Racketeering, Hobbs Act, and other statutes, relating to drugs, firearms, murder-for-hire, carjacking, explosives, and arson.

The inherent flexibility of the *AVCI* allows the Department to pursue new strategies and modify existing ones in response to emerging crime problems in particular neighborhoods, communities, towns, or cities. Many of these programs represent concentrated *AVCI* efforts and are coordinated by U.S. Attorneys. These include a joint effort between DOJ and the Department of Housing and Urban Development to rid public housing of violent crime and drug trafficking in 13 U.S. cities. A similar effort targets violent crime in nine cities which experienced increases in the violent crime rate for three consecutive years. The Department has initiated a pilot project involving a comprehensive collection and analysis of data which will assist in the development of community safety strategies. As the Department identifies effective strategies against violent crime, it will disseminate the information and knowledge, so that others may draw from them in designing, modifying, or implementing programs for their violent crime problems. *See* discussion below pertaining to U.S. Attorneys and their leadership role in local communities, under *National Drug Control Strategy* Goal #5, Section V.E.1.b.(2) ("Prosecutive Efforts by U.S. Attorneys").

(1) Organized Crime Drug Enforcement Task Force Program. *See* discussion below pertaining to the OCDETF program, under *National*

DRUG CONTROL STRATEGIC PLAN

Drug Control Strategy Goal #5, Section V.E.1.b.(3) (“Organized Crime Drug Enforcement Task Force Program”).

(2) DEA Mobile Enforcement Teams. In response to the threat of violent crime in America, in February 1995, DEA developed the Mobile Enforcement Team (MET) Initiative. The MET Initiative is an ambitious and innovative domestic enforcement program to reduce the drug-related violence occurring in neighborhoods throughout the country. Under this initiative, MET operations are undertaken only in response to direct requests from a police chief, sheriff, or district attorney. Upon receipt of such a request, DEA conducts a pre-deployment assessment.

Dedicated teams of DEA Special Agents have been established in division offices across the country. The METs, commonly comprised of 8 to 12 Special Agents, are primarily investigative; their mission is to dismantle violent drug trafficking organizations by securing the conviction and incarceration of those individuals dealing illicit drugs and causing the violence. DEA has 23 METs operating in 19 domestic field divisions.

Of the 122 MET deployments since the program began, a total of 74 post-deployment reviews have been completed. Using as criteria whether the deployment improved the quality of life by dismantling the primary targeted drug organization and decreasing the level of drug trafficking, DEA found that 61 of the deployments were judged fully successful, 12 partially successful, and only one deployment was unsuccessful. The MET deployments resulted in a high level of satisfaction from the law enforcement agencies that requested a MET deployment. The program continues to examine methods of improving measurements of its effectiveness. All METs are obtaining specific crime statistics for the targeted areas, and these statistics will help to describe the crime situation before and after MET deployment. *See* Appendix D (MET Process).

In addition, to extend the benefits of the MET’s activities within a community, DEA’s

Demand Reduction Program has initiated a pilot program to assist and support a community’s efforts to prevent re-emergence of crime upon conclusion of the MET deployment. Therefore, following the MET’s efforts to provide immediate relief to a community plagued with drug crimes, this Demand Reduction program will assist law enforcement officers to establish processes to restore neighborhood control and address the underlying causes of crime.

(3) FBI Safe Streets Task Force Program. In November 1993, FBI articulated its National Gang Strategy (NGS), which called for the dismantlement of violent street gangs. The NGS addresses violent criminal groups as entities, investigating and prosecuting entire organizations and hierarchies as criminal enterprises. In cooperation with other Federal, state, and local law enforcement agencies, FBI targets the major domestic violent gang and drug enterprises that pose the greatest threats to American society.

The mission of the Safe Streets Task Forces (SSTFs) is to combat prevalent violent crime problems in communities. This is accomplished through coordination and cooperation among participating law enforcement agencies to identify, locate, and apprehend fugitives and other individuals involved in serious crimes. Working with state, local, and other Federal law enforcement agencies, FBI has established 157 SSTFs, which confront violent crime, most of which are related to drug trafficking. The SSTFs combine the expertise, experience, and efforts of more than 750 Special Agents of the FBI, nearly 1,200 state and local officers, and 179 other Federal law enforcement officers, to target violence committed by drug trafficking organizations and street gangs.

(4) U.S. Marshals Service Efforts to Apprehend Violent Fugitives. The U.S. Marshals Service works to apprehend violent criminal fugitives. USMS has participated in more than 160 multi-agency fugitive task forces, teaming up with other Federal, state, and local law enforcement

DRUG CONTROL STRATEGIC PLAN

agencies to concentrate apprehension efforts on violent fugitive drug traffickers.

During fiscal year 1997, the Marshals Service sponsored 65 task forces, comprised of more than 250 Deputy U.S. Marshals and 350 other Federal, state, and local authorities. These task forces captured more than 15,000 fugitives and brought them to justice. In fiscal year 1997, USMS apprehended 3,685 drug fugitives, as requested by DEA.

(5) National Gang Information System. In October 1997, the Department established the National Gang Information System, a crime-specific database available to all law enforcement agencies throughout the country. This database — called RISS.NET — collects and disseminates gang investigative information in a coordinated fashion to the relevant agencies. This database will provide support and assistance in the investigation and prosecution of gang-related activities, as well as the developments, trends, and technical assistance on gang-related matters.

c. Performance Indicators.

The Department of Justice will track the following information in order to report on the results of its anti-violent crime programs:

- Number of significant and violent organizations and gangs disrupted or dismantled. [Reporting DOJ components: FBI/DEA/CriminalDivision/EOUSA] See discussion below pertaining to significant organizations, under Performance Indicators section of *National Drug Control Strategy* Goal #5, Section V.E.
- Number of Federal OCDETF and non-OCDETF violent crime prosecutions charged. [Reporting DOJ component: EOUSA]
- Proportion of violent Federal fugitives apprehended within one year after issuance of warrant. [Targeted rate: 80 percent.] [Reporting DOJ component: USMS]
- Number of operational DEA Mobile Enforcement Teams, results achieved, and level of requesting agencies' satisfaction based upon post-deployment reports. [Reporting DOJ component: DEA]
- Number of new violent crime cases investigated by FBI Safe Streets Task Forces. [Reporting DOJ component: FBI]
- Rate of violent crimes. [Reporting DOJ components: Criminal Division (TVCS, OPL)/FBI/DEA]

In addition, the Department plans to conduct special studies of drug-related violence and violent crimes in select cities to measure the effectiveness of its anti-violent crime programs over a particular period of time. The Department intends to examine the results achieved by the following programs:

- Mobile Enforcement Team deployments in select locations, based upon DEA's post-deployment reviews assessing whether the stated objectives were achieved. [Reporting DOJ component: DEA]
- Safe Streets Task Forces, based upon number of violent drug trafficking organizations and gangs disrupted or dismantled in specific targeted area. [Reporting DOJ component: FBI]

The Department will study the results of these programs in terms of both quantitative and qualitative considerations.

2. Combating Money Laundering.

Financial crimes pose a grave national security risk, because they threaten the integrity of the financial system while fueling numerous other types of criminal activity. Attacking drug-related money laundering is an essential element of the Department's efforts to undermine drug trafficking organizations as they launder billions of dollars

DRUG CONTROL STRATEGIC PLAN

annually. Thwarted by tougher anti-money laundering measures in the United States, traffickers are increasingly attempting to smuggle cash out of the U.S. into foreign countries.

In devising an anti-money laundering strategy, the Department will exploit and strike at two vulnerabilities exhibited by drug money launderers — (1) the enormous volume of illicit proceeds repatriated from the United States to other countries; and (2) the formidable U.S. law enforcement anti-money laundering regime monitoring this country's financial system.

The Department is committed to identifying and attacking money laundering through a coordinated national approach targeting specified sectors of the financial system — in collaboration with the Department of the Treasury, the U.S. Postal Inspection Service, and Federal regulators. An effective strategy requires the combination of expertise, experience, and resources of these authorities.

a. Department of Justice Anti-Money Laundering Objectives.

The Department of Justice's objectives to combat drug money laundering include the following:

- To work with the Department of the Treasury to develop and implement a financial sector approach to identify, disrupt, dismantle, and prosecute drug money laundering organizations;
- To identify, target, intercept, investigate, and prosecute the initial placement of drug proceeds into the U.S. financial system, and the physical movement of illicit proceeds out of the United States and subsequent repatriation into the United States, and to forfeit the illicit proceeds and instrumentalities associated with such conduct;
- To work bilaterally and multilaterally with foreign governments to identify, disrupt, dismant-

tle, and prosecute international drug money laundering organizations, and to forfeit the illicit proceeds and instrumentalities; and

- To provide anti-money laundering training to domestic and foreign prosecutors and investigators.

b. Department of Justice Anti-Money Laundering Efforts.

(1) Financial Sector Approach. The Department believes that U.S. financial institutions are the first line of defense against the placement of illicit drug currency. For the past 20 years, the Departments of Justice and the Treasury, as well as Federal regulators, have been working with U.S. banks and depository institutions to deny launderers direct access into the U.S. financial system and have achieved substantial success.

As a result, the Department focuses closely on the activities of "alternative" financial institutions — including wire remitters, *casas de cambio*, money order vendors, check cashers, and traveler's checks sellers. The Department views these "alternative" institutions as discrete financial sectors. DOJ has made significant strides by targeting particular financial sectors. Hence, the Department will continue to develop strategies designed to isolate these financial sectors in an effort to deny traffickers access to the U.S. financial system.

In order for the financial sector approach to succeed, the Department and other agencies must coordinate and integrate the information and data from financial investigations into the drug intelligence information gained from other sources. Specifically, the financial databases from the Treasury Department's Financial Crimes Enforcement Network (FinCEN) and other sources must be combined and analyzed along with the information obtained from traditional law enforcement methods and intelligence community. In this way, law enforcement can learn about the financial structures and operations of large, sophisticated, international drug trafficking and money laundering

DRUG CONTROL STRATEGIC PLAN

organizations. *See* discussion above pertaining to financial intelligence, under Section I. of this *Drug Control Strategic Plan* (“The Attorney General’s Vision for the Department’s Drug Control Efforts”).

To date, the most successful financial sector attack has been the use of the Geographic Targeting Order (GTO) in the New York/New Jersey area against currency remitters sending cash to Colombia (and more recently, to the Dominican Republic and Puerto Rico). The GTO is based on a previously rarely-used statutory provision that grants the Secretary of the Treasury authority to require special reporting and record-keeping by financial institutions in specific geographic areas where necessary to fulfill the purposes of the Bank Secrecy Act. This law provides the Federal Government authority to target an entire financial sector in an area where it is believed that money laundering is rampant.

In 1996 and 1997, the Departments of Justice and the Treasury used a GTO to deal a major blow to Colombian drug cartels by restricting their access to the New York City area money transmitters. The GTO essentially required certain money transmitters in the New York metropolitan area to file additional reports on cash money remittances to Colombia of \$750 or more (in contrast to the nationwide threshold of \$10,000). This additional reporting requirement discouraged money launderers from using money transmitters, and desperate launderers sought more vulnerable methods of placing funds into the financial system.

This New York/New Jersey GTO dramatically reduced the flow of illicit funds through these businesses to Colombia, forcing drug traffickers to resort to riskier activities. The Departments of Justice and the Treasury anticipated the “displacement” of the large sums of drug currency caused by the GTO. Millions of dollars of drug proceeds — normally returned to Colombia through the money transmitters in the New York/New Jersey area — were flushed back onto the streets, or would travel outside the United States. In the first six months

after the GTO was issued, Customs’ cash seizures at eastern ports increased approximately 400 percent over the same period for the previous year. *See* Appendix E (New York/New Jersey Geographic Targeting Order).

In an effort to attack other financial sectors and deter certain money laundering techniques, the Department, working in close coordination with the Department of the Treasury and the U.S. Postal Inspection Service, intends to implement new anti-money laundering initiatives. In particular, the Department will focus on the use of money orders and bulk shipments of currency.

(2) Greater Discourse on Financial Sector Enforcement. To pursue inter-agency financial sector targeting strategy, anti-money laundering investigators, prosecutors, and regulators must become actively involved in identifying the financial sectors utilized by drug money launderers. In 1997, the Departments of Justice and the Treasury convened a series of nationwide meetings for senior drug prosecutors and investigators from major money laundering districts. These conferences brought together more than 200 principal investigators, regulators, and prosecutors charged with money laundering enforcement from 14 districts and Headquarters.

(3) International Efforts. The Department of Justice provides substantial money laundering assistance to foreign governments in many ways. For instance, the Department’s Criminal Division has been instrumental in assisting the Governments of Bolivia, Colombia, Latvia, and Mexico in drafting their money laundering legislation. In addition, the Criminal Division conducted money laundering workshops and seminars in the Russian Federation and Latvia for foreign prosecutors and investigators. In 1998, the Criminal Division continues to provide technical assistance to a special unit in Colombia focusing on money laundering investigations.

DRUG CONTROL STRATEGIC PLAN

c. Performance Indicators.

The Department of Justice will track the following information in order to report on its anti-money laundering results:

- Number of financial sector enforcement schemes, including Geographic Targeting Orders, in coordination with the Department of the Treasury. [Reporting DOJ component: Criminal Division (AFMLS)]
- Number of significant money laundering prosecutions generated from OCDETF investigations. [Reporting DOJ component: Criminal Division (AFMLS, OCDETF)]
- Number of significant money laundering organizations disrupted and dismantled. [Reporting DOJ components: Criminal Division (AFMLS, OCDETF)/FBI/DEA] *See* discussion below pertaining to significant organizations, under Performance Indicators portion of Section V.E.1.c., *National Drug Control Strategy* Goal #5.
- Evaluation of the level or degree of difficulty of laundering drug proceeds.¹⁰ [Reporting DOJ components: Criminal Division (AFMLS)/FBI/DEA]
- Efforts to encourage foreign governments to adopt and implement laws and regulations, in accordance with the Financial Action Task Force 40 Recommendations and other international anti-money laundering principles. [Reporting DOJ component: Criminal Division (AFMLS, OIA)]
- Number of domestic and foreign investigators and prosecutors trained in anti-money launder

ing techniques. [Reporting DOJ components: Criminal Division (AFMLS)/FBI/DEA]

- Satisfaction of domestic and foreign prosecutors and investigators with money laundering training programs offered by the Department based upon evaluation forms. [Targeted rate: 85 percent of attendees reported satisfaction with the substantive program.] [Reporting DOJ components: Criminal Division (AFMLS)/FBI/DEA]

3. Enhancing Asset Forfeiture Efforts.

Asset forfeiture is a powerful weapon available to law enforcement in its battle against drug traffickers and their organizations. The Department continues to attack the economic infrastructure of criminal organizations to take the profit out of drug trafficking and deprive the criminals of the ill-gotten gains which are needed to operate their enterprises.

a. Department of Justice Asset Forfeiture Objectives.

The Department's objectives to enhance asset forfeiture efforts include the following:

- To assess asset forfeiture potential in every prosecution and investigation;
- To encourage foreign governments to enact asset forfeiture statutes, ratify asset forfeiture agreements, and adopt policies of international asset forfeiture cooperation; and
- To increase training for domestic and international prosecutors and investigators.

¹⁰ The actual cost and subjective difficulty of laundering money are not readily quantifiable and can only be determined through intelligence, which is subject to interpretation.

DRUG CONTROL STRATEGIC PLAN

b. Department of Justice Asset Forfeiture Efforts.

(1) Asset Forfeiture Reinvigoration Program.

In February 1996, the Department of Justice initiated a program to reinvigorate the Department's asset forfeiture efforts. The primary goal of asset forfeiture is to take the profits of crime away from drug traffickers and destroy their economic base of operation. Reinvigoration of asset forfeiture is vital to maximize the appropriate use of this essential law enforcement tool.

Prior to the Department's Reinvigoration Program, statistics showed that the Department's asset forfeiture activity had declined significantly since fiscal year 1993. By the summer of 1995, deposits into the Assets Forfeiture Fund had dropped considerably. A major reason for this decline was adverse judicial decisions, particularly in the areas of excessive fines and double jeopardy. As a result, the Department devoted substantial resources to fighting these adverse precedents in court, and it eventually prevailed.

Since that time, significant progress has been made in reinvigorating the asset forfeiture program. The Department has drafted and distributed Guidelines for each U.S. Attorney's Office to reinvigorate its asset forfeiture program and a "best practices" memorandum (including a model district plan containing policies and procedures for recognizing and pursuing forfeiture). The Department's Criminal Division and Executive Office for U.S. Attorneys compiled the "best practices" memorandum based upon input from the U.S. Attorneys regarding the most effective ways to: (1) structure their offices to maximize use of forfeiture resources; (2) communicate the goals of forfeiture; (3) determine forfeiture potential in a particular case; (4) train Federal investigators and prosecutors about the usefulness of forfeiture tools; and (5) enhance the government's program to deprive criminals of their instrumentalities and proceeds.

(2) Southwest Border Asset Forfeiture Initiative. The Department has undertaken a for-

feiture initiative focusing on the Southwest Border in an effort to promote the use of asset forfeiture in cases along the U.S.-Mexico border. The Department also has developed training programs specifically tailored to the needs of border cases. *See* discussion below pertaining to Southwest Border Initiative, under *National Drug Control Strategy* Goal #5, Section V.E.1.b.(4) ("Southwest Border Initiative").

(3) Strategic Use of Asset Forfeiture. In the coming months and years, the Department will place a high priority on making greater use of asset forfeiture as an offensive weapon to disrupt the operations and dismantle the economic structures of drug trafficking organizations. Asset forfeiture can be a useful tool to deprive criminals of their ill-gotten gains, thus reducing crime and enhancing public safety. In addition, strategic use of the asset forfeiture weapon can aid in obtaining detailed investigative information about the hierarchies and financial associations within criminal organizations.

Investigators and prosecutors will be more focused on the strategic use of the information learned from asset forfeiture investigations and proceedings — that is, taking the greatest advantage of investigative information and evidence, and learning about the criminals, their organizations, and others upon whom they rely. The Department components will utilize asset forfeiture in an "impact" manner, and its agents should be aggressively pursuing, analyzing, and evaluating common threads of information derived from a series of investigations. In this way, the investigative agencies will be able to target their efforts against certain industries or financial sectors of the economy — on a programmatic basis. This orientation will be integrated into the aggressive training of investigators and prosecutors.

(4) Asset Forfeiture Training Programs. The Department has intensified its forfeiture training efforts as part of the asset forfeiture reinvigoration. It has developed new seminars to educate Federal, state, and local forfeiture prosecutors

DRUG CONTROL STRATEGIC PLAN

and investigators in ways to enhance the expertise needed to integrate forfeiture into every investigation and prosecution appropriately. The training programs for investigators and prosecutors have focused on changes in the asset forfeiture laws, financial investigations, and coordination of prosecutors and investigators.

During fiscal year 1997, in support of the Department's asset forfeiture reinvigoration efforts, the Criminal Division trained more than 750 Federal criminal prosecutors, 65 foreign prosecutors, and 555 Federal investigators, and it conducted asset forfeiture district seminars for more than 240 prosecutors, investigators, and deputy marshals. Similarly, the FBI has significantly stepped up its asset forfeiture training programs; during fiscal year 1997, approximately 2,600 FBI agents, supervisors, and support personnel were trained in asset forfeiture and/or financial investigations. DEA has also made financial investigations training a priority and has incorporated asset forfeiture courses as part of its field agent training program. During fiscal year 1997, DEA trained approximately 4,500 Federal, state, local, and foreign investigators on issues relating to asset forfeiture and financial investigations.

(5) International Efforts. The Department of Justice promotes international forfeiture cooperation in many ways — through the negotiation of bilateral forfeiture cooperation and asset sharing agreements; training of investigators, prosecutors, and judges; and development of international forfeiture cases. The Department has been instrumental in assisting the Government of Colombia in drafting its asset forfeiture legislation, as well as in reviewing forfeiture legislation for Bermuda, Bolivia, Brazil, Mexico, South Africa, and Uruguay.

In addition, the Department has conducted annual international forfeiture conferences for the past seven years and has participated in several training seminars for foreign prosecutors, investigators, and judges, sponsored by other U.S. agencies and international organizations. *See* Appendix F (International Asset Forfeiture Accomplishments).

Reciprocal asset sharing is proof of true international forfeiture cooperation. The Department has been successful in promoting international forfeiture cooperation through asset sharing arrangements. Since the international cooperation program commenced in 1990, a total of \$130 million has been forfeited and repatriated to the United States, and a total of \$45 million has been shared with cooperating countries (including the British Virgin Islands, Canada, the Cayman Islands, Colombia, Ecuador, Switzerland, and the United Kingdom).

(6) Assistance to State and Local Asset Forfeiture Efforts. The Department has helped organize and assemble the Asset Forfeiture State and Local Law Enforcement Working Group, composed of representatives from major law enforcement associations across the country. This Working Group maintains an informal, continuous liaison relationship and has advised the Deputy Attorney General on several important asset forfeiture issues, including equitable sharing, use of forfeited funds for drug treatment and demand reduction programs, and support for Federal legislation.

The Department will continue to provide training to state and local law enforcement. During fiscal year 1997, the Criminal Division presented and demonstrated the Model Asset Forfeiture Curriculum at the national conferences of the National Sheriffs' Association, National District Attorneys Association, International Association of Chiefs of Police, and International Association of Women Police Officers. During these and other Conferences, more than 1,000 police chiefs, sheriffs, district attorneys, and training directors were introduced to the Model Asset Forfeiture Curriculum.

c. Performance Indicators.

The Department of Justice will track the following information in order to report on its asset forfeiture results:

DRUG CONTROL STRATEGIC PLAN

- Extent to which asset forfeiture is used in significant drug investigations and prosecutions to deprive drug traffickers of their ill-gotten gains and financial disruption and dismantlement suffered by the organization. [Reporting DOJ components: Criminal Division (AFMLS, NDDS,OCDETF)/EOUSA/FBI/DEA]
- Number of Federal criminal cases prosecuted in which asset forfeiture is pursued. [Reporting DOJ component: EOUSA]
- Amount of forfeited assets equitably shared with state and local agencies. [Reporting DOJ components: Criminal Division (AFMLS)/DEA/FBI] *See also* brief discussion below relating to Performance Indicators, under Section V.B.4.c. (“Assisting State and Local Agencies”).
- Efforts to encourage the use of asset forfeiture in foreign countries, to be evaluated based upon:
 - Bilateral and multilateral agreements reached regarding asset forfeiture; and
 - Asset forfeiture cooperation with foreign countries. [Reporting DOJ component: Criminal Division (AFMLS, OIA)]
- Number of domestic and foreign prosecutors and investigators trained on asset forfeiture issues. [Reporting DOJ components: Criminal Division (AFMLS)/EOUSA/FBI/DEA]
- Satisfaction of domestic and foreign prosecutors and investigators with training programs offered by the Department based upon evaluation forms. [Targeted rate: 85 percent of attendees reported satisfaction with substantive program.] [Reporting DOJ components: Criminal Division (AFMLS)/FBI/DEA]

4. Assisting State and Local Agencies.

The vast majority of drug cases investigated and prosecuted in the United States are handled by state and local agencies. Although the Federal Government investigates and prosecutes a significant number of drug cases — particularly, those cases against large, international, multi-jurisdictional trafficking organizations, which require extensive investigative techniques and resources — the state and local agencies protect and serve their respective local communities by providing protection against the dangers posed by drug trafficking and abuse.

Therefore, strengthening the criminal justice capabilities of state and local governments is one of the most important ways that DOJ carries out its leadership role in preventing and controlling drug-related crime. The Department recognizes that effective law enforcement requires a concerted and coordinated effort at all levels of government. *See* discussion above pertaining to the Department’s support and assistance to state and local governments, under Section I. of this *Drug Control Strategic Plan* (“The Attorney General’s Vision for the Department’s Drug Control Efforts”).

a. Department of Justice Objectives to Assist State and Local Agencies.

The Department’s objectives to assist state and local counterdrug efforts include the following:

- To create partnerships among Federal, state, and local agencies to ensure cooperation and maximize efficiency in performing counterdrug efforts;
- To provide funding to state and local governments to hire and deploy new police officers and develop innovative community policing strategies;

DRUG CONTROL STRATEGIC PLAN

- To provide support to state and local governments for enhanced law enforcement operations to combat drug trafficking;
- To provide training and technical assistance to state and local governments to enhance their criminal and juvenile justice system capabilities;
- To provide assistance in developing and implementing Drug Courts and Violent Youth Courts;
- To share OJP-supported research and statistical information with state and local governments;
- To support and assist state and local governments in developing and implementing reliable drug testing and treatment programs;
- To implement new Breaking-the-Cycle (BTC) projects;
- To develop a prototype for juvenile BTC projects;
- To report on and disseminate findings from existing BTC projects;
- To increase the number of Arrestee Drug Abuse Monitoring (ADAM) outreach sites for data collection;
- To improve the ADAM data collection instrument; and
- To expand the knowledge of state and local officers regarding effective drug prevention, control, and treatment.

b. Department of Justice Efforts to Assist State and Local Agencies.

The Department will continue to establish, develop, expand, and implement several programs to help support and assist state and local investigative and prosecutive agencies. In addition, the Department of Justice will continue to encourage community-based approaches to criminal justice at the state and local level. *See* discussion below pertaining to U.S. Attorneys and the leadership role in local communities, under *National Drug Control Strategy* Goal #5, Section VE.1.b.(2) (“Prosecutive Efforts by U.S. Attorneys”).

(1) Community Oriented Policing Services.

The Department has consistently emphasized the need for developing strong problem-solving partnerships between law enforcement organizations and communities. The Community Oriented Policing Services (COPS) program is an example of how DOJ is seeking to accomplish this goal. This program — created statutorily by the Violent Crime Control and Law Enforcement Act of 1994 — provides grants to localities for the purpose of adding 100,000 more police officers to the nation’s streets and communities. Another important part of the COPS mission is to promote the widespread adoption of community policing.

The COPS Office has developed a number of grant programs that advance the state of community policing nationwide. The Problem-Solving Partnerships grant program was one of the COPS Office’s most innovative grant programs addressing drug trafficking and use. This initiative sought to facilitate a shift from traditional incident-driven policing, to pro-active problem-oriented policing that encourages community participation to reduce levels of violence, crime, and disorder. Rather than repeatedly responding to crimes after they have

DRUG CONTROL STRATEGIC PLAN

occurred, police departments that practice community policing work with local leaders to identify persistent problems, learn about the root causes of the problems, and address the underlying conditions that precipitate such problems.

In March 1997, the COPS Office announced Problem-Solving Partnership grants to more than 450 law enforcement agencies and added another 16 grants in September. Under the grant, law enforcement agencies and community organizations work together to target specific violent crimes and problems associated with drugs and/or alcohol. An important component of this grant program is a requirement that grantees budget at least five percent towards local evaluations. This component promotes local practitioner-researcher partnerships and advancing the information available to the field of policing and problem solving.

In fiscal year 1998, Congress appropriated funds to the COPS Office targeted for: (1) methamphetamine prevention; (2) training and equipment for clean-up and removal of hazardous waste resulting from a clandestine laboratory seizure; (3) safe clean-up and disposal of hazardous waste discovered at clandestine methamphetamine laboratories; (4) intelligence gathering; (5) methamphetamine enforcement; and (6) forensics capabilities. DEA is the conduit for such assistance to state and local agencies and will provide hazardous materials training to 640 state and local officers and will purchase safety equipment (including air monitors, air purified respirators, fire resistant clothing, fire resistant ballistic vests, and other tactical clothing) for state and local officers. Much of the assistance will focus on efforts with the California Bureau of Narcotics Enforcement, and in the Midwest (including the Tri-State area of Nebraska, Iowa, and South Dakota), and East Coast states.

In addition, in fiscal year 1998, appropriated funds to the COPS Office will be utilized for the development of a grant program based on problem-solving models for communities ("hot spots"). These models are intended to identify an array of problems affecting elementary and secondary schools and propose innovative solutions and

improve their ability to provide safe school environments.

(2) Organized Crime Drug Enforcement Task Force Program. See discussion below pertaining to OCDETF program, under *National Drug Control Strategy* Goal #5, Section V.E.1.b.(3).

(3) Edward Byrne Memorial State and Local Law Enforcement Assistance Program. The Byrne Assistance Program, comprised of both a formula and discretionary grant program, provides substantial support to assist state and local law enforcement and criminal justice agencies in controlling and preventing drug use and violent crime. This Program, administered by the Bureau of Justice Assistance (BJA), improves the functioning of the criminal justice system through improved criminal history systems and other advanced technologies.

A large proportion of formula funds has been dedicated to law enforcement operations, primarily for multi-jurisdictional drug and violent crime task forces in both urban and rural communities, which have proven to be effective. In fiscal year 1996, more than 950 interdiction and suppression projects were funded to target individuals trafficking in illegal drugs and/or associated with violent crime. These projects resulted in the arrests of more than 215,000 individuals; forfeiture of more than \$318 million; seizure of 379 tons of cocaine, 3,650 tons of marijuana, and more than 114,000 firearms and dangerous weapons. An evaluation of the Byrne-funded projects revealed that 73 percent of the projects were still running three to four years after Federal funding ceased — indicating that the state or local government continued funding the project that was started by the Byrne funds.

(4) Operation Weed and Seed. Operation Weed and Seed, launched in 1991, mobilizes an array of resources in a comprehensive, coordinated effort to control crime and drugs and to improve the quality of life in targeted high-crime neighborhoods. The four basic elements of the overall

DRUG CONTROL STRATEGIC PLAN

Operation Weed and Seed Strategy are: enhanced law enforcement through joint enforcement operations; community policing; prevention, intervention, and treatment activities; and neighborhood revitalization. Development and implementation of this comprehensive strategy is energized by coordinating U.S. Attorneys with Federal, state, and local law enforcement and governmental leaders and service providers. In fiscal year 1998, Operation Weed and Seed funding is being offered to 176 sites around the nation; reports indicate that serious violent and drug crime is declining faster in city-wide Operation Weed and Seed sites than in other locations.

The National Institute of Justice is also supporting a multi-part impact evaluation in eight sites consisting of four approaches — (1) residential and business surveys; (2) analysis of police and prosecutor records; (3) on-site assessment of community-based programs; and (4) regular and systematic contact with Operation Weed and Seed participants. These sites include Akron, Ohio; Hartford, Connecticut; Las Vegas, Nevada; Pittsburgh, Pennsylvania; Sarasota (and the surrounding county), Florida; Salt Lake City, Utah; Seattle, Washington; and Shreveport, Louisiana.

(5) Drug Courts and Violent Youth Court Efforts. The Drug Courts Grant Program was authorized by the Violent Crime Control and Law Enforcement Act of 1994 to run through the year 2000. Drug Courts use the coercive power of the judiciary to force abstinence and alter behavior with a combination of escalating sanctions, mandatory drug testing, treatment, and strong after-care programs.

The Office of Justice Programs provides planning, implementation, and enhancement grants for Drug Courts, as well as training and technical assistance to support Drug Court planning and development. As of March 1, 1998, more than 245 jurisdictions throughout the country have implemented a Drug Court, and 161 are currently planning to

implement one. Drug Courts are now operating or being planned in 48 states, plus the District of Columbia, Puerto Rico, Guam, the Virgin Islands, and two Federal jurisdictions. See discussion pertaining to Drug Courts under Section I. of this *Drug Control Strategic Plan* (“The Attorney General’s Vision for the Department’s Drug Control Efforts”).

The mission of the Department’s proposed Violent Youth Court Program’s (VYCP’s) is to develop initiatives to assist justice sector personnel (courts, probation officers, parole officers, victim/witness centers, etc.) in enhancing and expediting youth violence cases. VYCP would provide financial and technical assistance to state and local jurisdictions for the development and implementation of programs focusing on violent youth offenders within the court system. VYCP’s innovative program initiatives include the development of juvenile drug courts and juvenile gun courts. Because this Program has not yet been funded, performance indicators have not been developed.

(6) State and Local Task Force Program. DEA’s State and Local Task Force Program was established in 1970 to provide assistance to state and local law enforcement agencies. Over the past 28 years, this Program has evolved to become a very important weapon in DEA’s counterdrug enforcement arsenal; it addresses problems of drugs and violent crimes plaguing American cities. Through the State and Local Task Force Program, DEA develops investigations which have direct links to the communities.

In addition, the Program combines the experience, expertise, and resources of Federal, state, and local law enforcement and fosters cooperation, coordination, and information-sharing among these same agencies. DEA’s State and Local Task Force Program currently involves the participation of 156 state and local task forces, of which 104 are formal and 52 provisional, and the task forces consist of 816 DEA Special Agents and 1,996 state and local police officers.

DRUG CONTROL STRATEGIC PLAN

(7) Local Law Enforcement Block Grant Program. This BJA Block Grant Program provides substantial funds to units of local government for purposes of reducing crime and improving public safety. There are seven statutorily-prescribed program purpose areas, several of which support the goals and objectives of the Department's *Drug Control Strategic Plan* — including hiring, training, and employing additional law enforcement officers; establishing and supporting Drug Courts (discussed above); enhancing the adjudication process of cases involving offenders (particularly violent juvenile offenders); and establishing multi-jurisdictional task forces (particularly in rural areas).

(8) Violent Offender Incarceration and Truth-in-Sentencing Formula Grants and Residential Substance Abuse Treatment Program. The Violent Offender Incarceration and Truth-in-Sentencing (VOI/TIS) Incentive Grants and the Residential Substance Abuse Treatment for State Prisoners Program (RSAT) are administered by OJP's Corrections Program Office. These formula grant programs support the President's initiative for deterring crime and drug abuse.

The VOI/TIS program provides funds to build state prison capacity for violent offenders and hold violent offenders accountable through Truth-in-Sentencing. A key component of the VOI/TIS program aims at reducing the incidence of crime through its substance abuse provision that requires states, by September 1, 1998, to implement a program of controlled substance abuse testing, interventions, and sanctions with specific policies and procedures. Through this program, states will ensure that there is a response — either sanction and/or treatment — to every positive test and every case where a need is identified. Responses may include event documentation, enhanced case management, increased supervision, or imposition of other graduated sanction and treatment interventions.

The RSAT Formula Grant Program directly assists states in developing, implementing, and

enhancing substance abuse programs during incarceration and after release from prison. The RSAT program tailors its individual and group treatment activities to the needs of incarcerated offenders.

On January 12, 1998, the President issued a directive to the Attorney General regarding Coerced Abstinence in the Criminal Justice System. As part of this directive, the President asked the Attorney General to draft and submit to Congress legislation that would grant states the flexibility to use their prison construction and residential substance abuse treatment funds to provide a full range of drug testing, treatment, and sanctions for offenders in prison under criminal justice supervision in the community. On March 24, 1998, the Attorney General submitted to Congress legislation addressing this issue. *See* discussion above pertaining to drug treatment, under Section I. of this *Drug Control Strategic Plan* ("The Attorney General's Vision for the Department's Drug Control Efforts").

(9) Breaking-the-Cycle Program and Drug Testing and Intervention Initiative. Recognizing that many state and local jurisdictions have had considerable experience with drug testing and treatment interventions, more must be done to encourage and assist criminal justice agencies in adopting and implementing comprehensive drug testing policies and practices for arrestee and offender populations.

The Breaking-the-Cycle (BTC) program is a comprehensive effort to sever the connections between using illicit drugs and committing crimes. The BTC program relies on a comprehensive program of drug testing, treatment, and graduated sanctions to break offenders from the cycle of drug use and connected crimes. The BTC program involves the collaboration of several key elements including:

- Criminal justice and drug treatment systems;
- Early intervention;
- Use of graduated sanctions and incentives;
- Judicial oversight of the intervention and sanction process; and
- Links to research and evaluation.

DRUG CONTROL STRATEGIC PLAN

The BTC program is currently a demonstration project being conducted by a consortium of Federal agencies led by the National Institute of Justice. The Department is seeking to expand the BTC approach to assist additional local criminal justice jurisdictions through planning grants for BTC implementation and additional agency support for existing programs. The Department has requested additional funding in fiscal year 1999 for this purpose.

(10) National Institute of Justice's Drug Research and Evaluation and Arrestee Drug Abuse Monitoring (ADAM). The National Institute of Justice maintains a substantial research and evaluation portfolio concerning substance abuse and related issues. Recently, NIJ has funded research in the efficacy of corrections-based drug treatment. In partnership with the Drug Courts Program Office, NIJ has conducted important evaluations of the use of graduated sanctions in the context of Drug Courts. NIJ also supports basic research on the pathways to drug use, examining, in particular, the role that tobacco and alcohol use play. Other research has focused on the nature of drug markets and the role of police in disrupting these markets. NIJ will continue to expand its research and evaluation base in the area of drugs and crime. In particular, NIJ plans to increase its activities concerning juvenile drug use and criminal activity. Other research plans include expansion of Drug Court evaluations, increased research involvement in issues pertaining to corrections-based treatment, and formative studies in the area of alcohol and crime.

In 1987, NIJ created the Drug Use Forecasting (DUF) program. This program served as one of the primary sources of information on drug use in cities among arrestees, and one of the primary research tools on drug use, crime, and related social indicators. Data from the program have confirmed significant differences in drug choices by city and region, and it has documented the different structures and use patterns in crack cocaine, powder cocaine, heroin, and methamphetamine markets.

Based upon NIJ's success in gathering important drug use data and information, the Department has decided to re-design and expand its arrestee drug testing research program from 23 sites to 75 sites by fiscal year 2001. Now named the Arrestee Drug Abuse Monitoring (ADAM) Program, NIJ will possess a unique capacity to collect and distribute reliable data about ongoing and emerging drug trends and crime patterns on a timely basis.

(11) Regional Information Sharing System. The Regional Information Sharing System (RISS), another program administered by BJA, is the only multi-jurisdictional criminal intelligence system operated by and for state and local law enforcement agencies, serving more than 4,500 Federal, state, and local law enforcement agencies in all 50 states. Six regional projects provide a broad range of intelligence exchange and related investigative support services, coordinating law enforcement efforts against criminal networks that operate in many locations across jurisdictional lines.

In fiscal year 1996, the regional RISS projects helped in arresting nearly 6,000 individuals by providing information, analytical services, equipment loans, and confidential funds to member agencies. In addition, these projects have resulted in the seizure of drugs worth nearly \$300 million and more than \$1 million in property and assets. Further, approximately 20,000 law enforcement personnel are trained annually in regional RISS project-sponsored sessions.

(12) Federal Training for State and Local Agencies. The Department provides numerous training programs to state and local investigative and prosecutive agencies. For instance, the Executive Office for U.S. Attorneys, in collaboration with the National District Attorneys Association, has developed a National Advocacy Center (NAC) to educate and train Federal, state, and local litigators in the art and skills of effective advocacy. The NAC will provide, for the first time, joint training programs for Federal prosecutors on subjects in which they have mutual interests.

DRUG CONTROL STRATEGIC PLAN

In addition, BJA, through the Institute of Investigative Technology, is providing training to more than 3,500 state and local law enforcement officers on the benefits and limitations of investigative technologies. BJA also provides substantial training to state and local agencies regarding the cleanup of clandestine methamphetamine laboratories.

(13) Bureau of Justice Statistics. The Bureau of Justice Statistics collects, analyzes, publishes, and disseminates information on crime, criminal offenders, victims of crime, and the operation of the justice systems at all levels of the government. BJS will continue its implementation of the National Incident-Based Reporting System (NIBRS), which represents the next generation of crime data based upon detailed information on victims, offenders, and crime consequences. NIBRS represents a new way of thinking about crime and its measurement beyond simple counts of the number of times certain crimes occur. A joint BJS/FBI task force — including practitioners, academics, and other experts — is addressing difficult and complex issues that NIBRS faces to ensure widespread participation among the 17,000 law enforcement agencies in the country.

(14) Comprehensive Communities Program. BJA is implementing a comprehensive violent crime control and community mobilization program in 16 jurisdictions across the country. The Comprehensive Communities Program focuses on quality of life issues — especially violence and drug abuse — in communities by initiating comprehensive planning and coordination of services through governmental, private, and community partnerships. Each local strategy includes a jurisdiction-wide implementation of community policing, coordination between public and private agencies, and efforts that encourage citizens to take an active role in solving problems.

(15) Office of Juvenile Justice and Delinquency Prevention Programs. The

Department's Office of Juvenile Justice and Delinquency Prevention oversees and coordinates several programs which combat drugs and violence in local communities. One example is described below:

Juvenile Accountability Incentive Block Grants. This Program provides state and local governments with funds to develop programs that promote greater accountability in the juvenile justice system. These funds can be used to support several initiatives that contribute to drug demand reduction and enforcement programs — including those to address gangs and youth violence; court-based programs that target firearms through juvenile gun courts; Drug Court programs for juvenile offenders; accountability-based law enforcement programs; and programs for implementation of drug testing and appropriate interventions.

See Appendix G (Office of Juvenile Justice and Delinquency Prevention Anti-Violent Crime Programs).

(16) Youth Crime Gun Interdiction Initiative. The Youth Crime Gun Interdiction Initiative is a collaborative effort between the Departments of Justice and the Treasury (Bureau of Alcohol, Tobacco and Firearms), which provides for the tracing of guns used in the commission of crimes and provides critical investigative leads about the sources of illegal firearms to youths and juveniles. With this crime gun trace information, law enforcement officials can detect patterns of illegal gun trafficking and identify straw purchasers and black market traffickers. The Youth Crime Gun Interdiction Initiative is currently underway in 27 cities.

(17) Tribal Strategies Against Violence. BJA's Tribal Strategies Against Violence initiative is a Federal-tribal partnership dedicated to the development and implementation of comprehensive

DRUG CONTROL STRATEGIC PLAN

reservation-wide strategies to reduce substance abuse, crime, and violence. The Department's commitment to drug demand reduction in Indian Country focuses on its support of both comprehensive program development and individual tribal initiatives administered by criminal justice, social services, and educational agencies working together to confront these issues. Examples of programs supported through this initiative include community policing, after-school activities, drug prevention curriculum development, community mobilization, and parental education.

c. Performance Indicators.

The Department of Justice will track the following information in order to report its assistance to state and local agencies:

- Extent to which evaluations of state and local drug control programs contribute to DOJ's overall drug control program. [Reporting DOJ component: OJP (annual reporting)]
- Number of new state and local police officers hired and deployed based upon Federal funding. [Targeted number: 27,000 police officers between the end of fiscal year 1997 and the end of fiscal year 2000.] [Reporting DOJ components: COPS/OJP]
- Number of state and local arrests as a result of multi-jurisdictional OJP-supported task forces and enhanced law enforcement operations. [Reporting DOJ component: OJP (reporting data available every two years)]
- Number of state and local drug seizures as a result of multi-jurisdictional OJP-supported task forces and enhanced law enforcement operations. [Reporting DOJ component: OJP (reporting data available every two years)]
- Number of Operation Weed and Seed sites. [Targeted number of sites: 205 by the end of fiscal year 1999.] [Reporting DOJ component: OJP]
- Amount of financial support and technical assistance provided to state and local agencies (assuming funding allocations). [Reporting DOJ components: COPS/OJP]
- Number of state and local investigators and prosecutors trained by Federal programs. [Reporting DOJ components: EOUSA/Criminal Division/FBI/DEA/OJP]
- Number of state and local law enforcement officers trained on issues relating to community policing, based upon COPS assistance. [Targeted number: 20,000 state and local officers by the end of fiscal year 2000.] [Reporting DOJ component: COPS]
- Number of new Drug Courts established annually. [Targeted number: 100 new Drug Courts in fiscal year 1998; future increases will be based upon appropriations levels.] [Reporting DOJ component: OJP]
- Retention rates (ratio of current participants and graduates as compared to the total number enrolled) for Drug Courts. [Targeted retention rate: 60 percent annual rate.] [Reporting DOJ component: OJP]
- Recidivism rates for graduates of Drug Courts. [Targeted recidivism rate: Less than 20 percent annual rate.] [Reporting DOJ component: OJP]
- Level of user satisfaction with OJP-supported research, evaluation, and statistical information and reports. [Reporting DOJ component: OJP (reporting data available every two years)]
- Number of states that have implemented policies and procedures to test, treat, and impose sanctions upon inmates and parolees for drug

DRUG CONTROL STRATEGIC PLAN

use, as required by the VOI/TIS program. [Targeted number: All states within the next two years.] [Reporting DOJ component: OJP]

- Number of states that annually report reduced drug use by offenders during incarceration and while under post-release supervision, using reported baseline 1998 data. [Targeted number: All states by 2001.] [Reporting DOJ component: OJP]
- Proportion of drug-using offenders treated by RSAT-supported programs who commit a felony or serious misdemeanor within one year following release from supervision. [Targeted percentage: 10 percent by the year 2007 (reporting based on available data every two years).] [Reporting DOJ component: OJP]
- Number of new BTC projects implemented. [Targeted number: Four new BTC projects within the next two years.] [Reporting DOJ component: OJP]
- Progress in developing and implementing prototype for juvenile BTC project. [Reporting DOJ component: OJP]
- Number of BTC reports disseminated.¹¹ [Targeted number: Four BTC reports within the next two years.] [Reporting DOJ component: OJP]
- Number of ADAM and outreach sites. [Targeted number: 75 ADAM sites by 2000 and 75 rotating outreach sites by 2001 (assuming projected increased budgetary allocations).] [Reporting DOJ component: OJP]
- Results of field tests of reliability of new ADAM instruments. [Reporting DOJ component: OJP (reporting annually)]
- Progress in developing manual and computer sampling system of ADAM sites. [Reporting DOJ components: OJP (reporting annually)]
- Number of funded proposals demonstrating the capabilities of ADAM as a research platform. [Targeted number: Two proposals within the next two years.] [Reporting DOJ component: OJP]
- Number of community drug research policy collaborations. [Reporting DOJ component: OJP (reporting annually)]

¹¹ Defendants receiving enhanced services (drug treatment, intensive case management, and regular drug testing) will be compared to defendants who did not receive the same level and type of services — in terms of recidivism, continued drug use, health status, and social functioning.

In 1996, Birmingham, Alabama was selected as the first demonstration site for testing the efficacy of the BTC concept; each arrestee booked through Jefferson County Jail was drug tested and assessed for treatment needs. Defendants in need of treatment are referred to a program at the University of Alabama at Birmingham for case management, drug testing, and drug treatment. Treatment progress is judicially monitored, and graduated sanctions are imposed on non-compliant defendants. Defendants making satisfactory progress in treatment are offered a variety of incentives.

The second phase of the BTC initiative is designed to test the program's results in a more rigorous and focused manner and extend it to additional jurisdictions. Planning has already started for expansion of BTC to juvenile justice settings. Although the specific hypotheses to be tested will vary somewhat, the basic elements of the project will remain.

DRUG CONTROL STRATEGIC PLAN

- Number of grants funded for drug crime research. [Reporting DOJ component: OJP (reporting annually)]
- Number of drug-specific research project expansions. [Reporting DOJ component: OJP (reporting annually)]

See also discussion above pertaining to equitable sharing of forfeited assets with state and local agencies, under Performance Indicators relating to Section V.B.3.b.(6), “Enhancing Asset Forfeiture Efforts” (above).

5. Drug Testing and Treatment in the Federal Criminal Justice System.

a. Department of Justice Drug Testing and Treatment Objectives.

The Department’s primary objectives to enhance drug testing and treatment in the Federal criminal justice system are:

- To provide inmates with instruction on the risks involved in drug using and abusing behaviors, present strategies toward living a drug-free lifestyle, and motivate inmates to participate in residential drug abuse treatment program;
- To offer flexibility for inmates who do not meet the requirements for residential drug abuse treatment programs; and
- To implement drug testing for defendants in Federal criminal proceedings.

b. Department of Justice Drug Testing and Treatment Efforts.

(1) **Bureau of Prisons.** In response to the rapid growth in the federal inmate population having drug

abuse histories, the Bureau of Prisons has developed a comprehensive drug abuse treatment strategy consisting of the following four elements:

- **Education.** BOP provides the inmate with specific instruction on the risks involved in drug use behavior, presents strategies toward living a drug-free lifestyle, while introducing the inmate to the concepts of drug treatment, and motivates the inmate to volunteer for participation in BOP’s residential drug abuse treatment program.
- **Non-Residential Counseling Services.** This component offers flexibility for those who do not meet the requirements for residential drug abuse treatment programs. It is also available for after-care treatment for those inmates who are still in the institution after completion of the residential treatment program.
- **Residential Drug Abuse Treatment Program.** This Program is a comprehensive unit-based program that affords inmates up to 500 hours of treatment while in prison and includes participation in community transitional services when the inmate is transferred to a Community Corrections Center (halfway house) prior to release. This treatment focuses on individual responsibility and changing future behavior.

The goal of this Program is to attempt to identify, confront, and alter the attitudes, values, and thinking patterns that led to criminal behavior and drug use. The Program includes sessions on Screening and Assessment, Treatment Orientation, Criminal Lifestyle Confrontation, Cognitive Skill Building, Relapse Prevention, Interpersonal Skill Building, and Wellness. BOP aims to provide such residential treatment in an inmate’s last 24 to 36 months of incarceration.
- **Community Transitional Services Programs.** These Programs are available to inmates who

DRUG CONTROL STRATEGIC PLAN

have completed the residential drug abuse treatment program and are released to the community under BOP custody and those required to undergo treatment as part of their community re-integration plan, while still in BOP custody.

See brief discussion below, under Section V.C., *National Drug Control Strategy* Goal #3.

(2) Operation Drug TEST (Testing, Effective Sanctions, and Treatment). In early 1996, the Department supported the Administrative Office of U.S. Courts' implementation of Operation Drug TEST (Testing, Effective Sanctions, and Treatment) which tests all defendants at the pretrial stages of a case in 25 participating Federal judicial districts. It is a demonstration testing/monitoring program. At the present time, NIJ is conducting an evaluation of the Operation Drug TEST program to assess the program design, implementation, modification, case flow, resource needs and allocations, as well as outcome measurements of effectiveness.

The Operation Drug TEST program is being evaluated through an NIJ grant to researchers at University of California-Los Angeles and the RAND Corporation. The researchers are conducting a three-part analysis: (1) a process assessment of the program design, implementation, modification, case flow, and resource needs and allocations; (2) a system impact assessment to document changes in the adjudication system and characteristics of the defendant populations in 10 of 22 dis-

tricts; and (3) an outcome assessment to measure the effects of Operation Drug TEST on individual defendant behaviors regarding compliance, continued drug use and crime, and other indicators.

c. Performance Indicators.

The Department of Justice will track the following information in order to report on the results of drug treatment for inmates:

- Number of inmates enrolled in drug education programs and completed these programs. [Targeted number: 12,500 inmates completing programs annually.] [Reporting DOJ component: BOP]
- Number of inmates enrolled in non-residential drug abuse treatment programs and completed these programs. [Targeted number: 3,500 inmates completing programs annually.] [Reporting DOJ component: BOP]
- Number of inmates enrolled in residential drug abuse treatment programs and completed these programs.¹² [Targeted number: 5,500 inmates completing programs annually.] [Reporting DOJ component: BOP]
- Progress in developing and implementing prototype for drug testing of defendants in Federal criminal proceedings, based upon evaluation reports. [A preliminary evaluation

¹² A recent study of the drug treatment program for inmates in Federal prisons confirms the importance and cost-effectiveness of prison drug treatment programs. According to a study conducted by BOP (of 1,866 inmates at more than 30 institutions) and funded by the Department of Health and Human Services' National Institute of Drug Abuse, Federal inmates who completed the residential drug abuse treatment program were 73 percent less likely to be re-arrested in the first six months after release than similar inmates who did not receive this treatment. Similarly, among inmates who had drug urinalysis tests under post-release supervision, the inmates who completed the residential drug abuse treatment program were 44 percent less likely to be detected for drug use within the first six months after release than those who had not received treatment. These findings suggest that participation in the residential drug abuse treatment program assists inmates during their initial period of transition into the community following release.

report will be released before the end of fiscal year 1998, and final report released by the end of fiscal year 1999.] [Reporting DOJ components: OPD/OJP]

C. National Drug Control Strategy Goal #3 - Reduce Health and Social Costs to the Public of Illegal Drugs.

Many of the Department's counterdrug programs not only increase the safety of American citizens (as in Goal #2 above), but also reduce the health and social costs of illegal drugs (Goal #3). Therefore, these same programs (described above) would apply to this section as well, particularly discussions relating to:

- Section V.B.4. ("Assisting State and Local Agencies"); and
- Section V.B.5. ("Drug Testing and Treatment in the Federal Criminal Justice System").

Further health and social costs of illicit drug use are addressed by administrative agencies other than the Department of Justice — most notably, the Department of Health and Human Services.

D. National Drug Control Strategy Goal #4 - Shield America's Air, Land, and Sea Frontiers From the Drug Threat.

Guarding this nation's borders is one of the Federal Government's most fundamental responsibilities and daunting challenges — given the historically open nature of the borders with the northern and southern neighbors. The sheer size of the frontier makes this task a major undertaking; moreover, improvements in transportation links and trade rela-

tions have added new stresses to border protection efforts.

The Federal Government maintains 300 ports-of-entry, including airports, where officials inspect inbound and outbound individuals, cargo, and conveyances. The Southwest Border shared with Mexico spans 2,000 miles; the nation's land and sea borders total 9,600 miles. The U.S.-Canada border is the most open free trade border in the world, and the bilateral trade relationship between the two countries is the largest in the world; thus, it is a prime target for illegal border crossings and hence, drug trafficking and money laundering. In 1997, more than 400 million people entered the United States, as did 5 million commercial trucks and 4 million ocean containers.

Virtually all of the cocaine and heroin — and much of the marijuana — sold and consumed in this country is produced abroad. The United States-Mexico border has been plagued by transnational drug trafficking, violent crime, and contraband smuggling. A majority of the illicit drugs seized in the United States have passed through Mexico at one time.

The United States must endeavor to protect the integrity of its borders, maintain control and security over the borders, and prevent illicit drugs from coming into the country — either at the borders or in transit zones. However, drug transportation methods and routes are dynamic. Once the Government focuses interdiction efforts and attention in one location or on one smuggling/importation method, the traffickers will change locations or methods. The traffickers have demonstrated great flexibility in shifting personnel and resources to evade U.S. interdiction efforts.

This elusiveness demonstrated by the trafficking organizations must be defeated with the efficient and effective use of strategic investigative and intelligence information. Therefore, the Department must ensure that the same intelligence information collected for investigative and prosecutive purposes is disseminated to border security forces in a timely manner in order to enhance interdiction efforts. *See* discussion above pertaining to intelligence-cued

DRUG CONTROL STRATEGIC PLAN

interdiction efforts, under Section I. of this *Drug Control Strategic Plan* (“The Attorney General’s Vision for the Department’s Drug Control Efforts”).

1. Department of Justice Border Security and Transit Zone Objectives.¹³

The Department’s primary objectives to enhance border security and transit zone efforts include the following:

- To strengthen the land border defense through continued use of advanced technology and effective deployment of border patrol agents and other personnel;
- To improve the collection and dissemination of intelligence information related to drug movements;
- To strengthen counterdrug law enforcement efforts along the U.S. borders;
- To increase training for Federal, state, and local law enforcement officers in interdiction efforts; and
- To increase foreign government support for cooperative efforts, including air, maritime, and land cargo anti-smuggling agreements.

2. Department of Justice Border Security and Transit Zone Efforts.

a. Southwest Border Initiative.

See discussion below pertaining to Southwest Border Initiative, under *National Drug Control Strategy* Goal #5, Section V.E.1.b.(4).

b. El Paso Intelligence Center.

DEA’s El Paso Intelligence Center (EPIC) is a multi-agency facility which serves as a clearinghouse for tactical strategic investigative information and a central point for the collection, analysis, and dissemination of information related to the worldwide movement of drugs. EPIC provides support for drug law enforcement interdiction operations and is accessible around the clock. See Section I. of this *Drug Control Strategic Plan* (“The Attorney General’s Vision for the Department’s Drug Control Efforts”) and discussion pertaining to “Counterdrug Strategic Investigative and Intelligence Information,” under *National Drug Control Strategy* Goal #5, Section V.E.1.b.(1).

c. Patrolling the Borders.

In 1994, the INS-Border Patrol began implementing a border management strategy that included initially gaining control of the border in the most difficult areas. The new strategy produced four major border enforcement operations — Operation HOLD THE LINE (El Paso, Texas sector), SAFE-GUARD (Tucson, Arizona sector), GATEKEEPER (San Diego, California sector), and RIO GRANDE (McAllen, Texas sector). Each of these operations increases control at the border in targeted areas, including a reduction in drugs smuggled across the borders between ports-of-entry. Ongoing INS-Border Patrol operations demonstrate that drug trafficking and related crimes can be reduced by enhanced border security efforts.

INS-Border Patrol’s focus on prevention, deterrence, and interdiction along the border results in the seizure of substantial quantities of smuggled drugs. It also enables inspection agencies at the ports-of-entry and counterdrug investigative agencies throughout the country to concentrate their resources more effectively.

¹³ Although the Department of Justice’s INS-Border Patrol and DEA engage in interdiction activities, the bulk of the U.S. Government’s interdiction efforts are conducted by the Departments of the Treasury, Defense, and Transportation (U.S. Coast Guard).

DRUG CONTROL STRATEGIC PLAN

d. Caribbean Interdiction Efforts.

During the summer of 1997, DEA participated in Operations SUMMER STORM and BLUE SKIES. In June 1997, DEA conducted Operation SUMMER STORM, a coordinated air, land, and sea operation to interdict, disrupt, and dismantle the flow of illegal drugs in the region and enforce relevant drug laws. Operation SUMMER STORM incorporated the combined efforts of 26 Caribbean nations (from the eastern and western Caribbean region, as well as from Belize, Suriname, and Guyana) and U.S., French, Dutch, and United Kingdom personnel and resources. In addition, Operation SUMMER STORM focused on collecting drug information and intelligence which may form the basis for a regional organized crime intelligence sharing system and Joint Information Coordination Centers in the region.

During Operation SUMMER STORM, Caribbean law enforcement agencies conducted 1,026 searches of residences and 4,582 searches of automobiles. These law enforcement efforts resulted in the arrest of 828 persons for drug-related offenses and seizures of 57 kilograms of powder cocaine, one kilogram of crack cocaine, 340 kilograms of marijuana, 122 weapons, 8 vessels, and 3 vehicles in two weeks.

The success of Operation SUMMER STORM validated the concept of utilizing Operation Bahamas, and Turks & Caicos (OPBAT) resources in the eastern Caribbean region and further demonstrated the need for such permanent air resources for operations in the region; hence, Operation BLUE SKIES was established. In addition, the U.S. Coast Guard, with DEA support, instituted Operation FRONTIER LANCE, which commenced March 2, 1998, focusing on air and maritime conveyances transporting illicit drugs through the island of Hispaniola and the Windward Passage.

e. Air and Maritime Interdiction Efforts.

In March 1996, the Department participated in launching Operation GATEWAY, which is designed

to secure the waters and airspace surrounding U.S. territories from drug traffickers. Operation GATEWAY combines the collaborative efforts of more than 600 attorneys and agents from 26 Federal, state, and local agencies, complemented by an intelligence coordinating center.

f. Airport Interdiction.

In the 1970s, drug interdiction units evolved from an early relationship formed between state and local police officers and DEA Special Agents for the purpose of combating couriers carrying illicit drugs into the United States. Operation JETWAY is a task force effort between DEA and state and local law enforcement and operates across the country at airports, train stations, bus stations, and package shipment facilities, U.S. post offices, and airport hotels and motels. In addition, following a drug seizure at an airport, controlled deliveries are conducted, wherever possible, to target the prospective recipient and learn more about the command and control of the larger drug trafficking organization. During fiscal year 1997, Operation JETWAY's interdiction units seized more than 28,400 kilograms of marijuana, 3,200 kilograms of cocaine, nearly 340 kilograms of methamphetamine, 60 kilograms of crack cocaine, and more than 75 kilograms of heroin.

Operation JETWAY also provided uniform, standardized training and statistical analysis to Federal, state, and local drug interdiction units. The primary goal of Operation JETWAY's training program is to ensure that the nation's interdiction units learn about accepted interdiction techniques, within the confines of current legal precedent. In fiscal year 1997, the DEA conducted 10 such training programs and intends to increase that figure to 19 for fiscal year 1998.

g. Highway Interdiction.

DEA's Operation PIPELINE, established in 1984, is a drug interdiction program that is implemented by state and local law enforcement agencies, with support from DEA Headquarters and its El Paso

DRUG CONTROL STRATEGIC PLAN

Intelligence Center. Operation PIPELINE is active along the interstate highways frequently used by drug traffickers to transport illicit drugs and money. DEA's enforcement action under such programs as Operation PIPELINE is facilitated by the temporary deputization of state and local police officers when they participate in controlled deliveries under DEA supervision. During fiscal year 1997, Operation PIPELINE's interdictions led to the seizure of more than 137,800 kilograms of marijuana, nearly 9,200 kilograms of cocaine, more than 920 kilograms of methamphetamine, 100 kilograms of crack cocaine, and 100 kilograms of heroin.

3. Performance Indicators.

The Department of Justice will track the following information in order to report on its border security and transit zone performance:

- Number and location of Border Patrol agents deployed along the U.S. borders. [Reporting DOJ component: INS-BP]
- Progress in deployment and effectiveness of advanced technologies along the U.S. borders. [Reporting DOJ components: INS-BP/NIJ]
- Extent to which interdiction efforts are cued by strategic intelligence information in a timely fashion. [Reporting DOJ components: DEA/INS-BP]
- Number of queries and entries to drug intelligence databases. [Reporting DOJ component: DEA]
- Quantity of illicit drugs seized by the Border Patrol at or near the U.S. borders. [Reporting DOJ component: INS-BP]
- Extent of changes in drug smuggling patterns, routes, and methods, as reflective of interdiction efforts. [Reporting DOJ components: Criminal Division (NDDS)/DEA/FBI/INS-BP]
- Efforts undertaken to encourage foreign governments to cooperate with respect to air, land, and maritime interdiction efforts. [Reporting DOJ components: DEA/FBI/INS-BP]

E. National Drug Control Strategy Goal #5 - Break Foreign and Domestic Sources of Supply.

The Department of Justice focuses significant attention and resources on disrupting and dismantling¹⁴ drug trafficking organizations that supply and distribute illicit drugs and its members, as well as the individual drug traffickers selling drugs on the streets of America. Over many years, the Department has forged an integrated approach to attack both drug threats — focusing on the large, international drug trafficking organization that controls state-of-the-art technology and money laundering mechanisms, while also targeting the individual drug distributors wreaking havoc in our local communities.

To combat the sophisticated, multi-jurisdictional drug trafficking organizations, DOJ must focus its efforts where most complex investigations

¹⁴ To dismantle is to put the criminal organization out of existence or break it up to the extent that reconstruction of the same criminal organization is impossible. To disrupt is to cause significant interference in the conduct of business by the targeted criminal organization; disruption occurs when the normal and effective operation of a specific enterprise is significantly impacted as a result of an affirmative law enforcement action. Indicators of disruption include changes in organization leadership, trafficking patterns, drug production methods, and violence within and between organizations.

DRUG CONTROL STRATEGIC PLAN

start — on the collection and analysis of investigative and strategic drug intelligence information. The Department must gather, compile, assemble, and integrate information from all sources — including the law enforcement agencies and prosecutors' offices; national, regional, and local drug intelligence centers; financial databases; and the intelligence community, as appropriate. More specifically, the Department will collect and analyze intelligence information from the Special Operations Division, National Drug Intelligence Center, Financial Crimes Enforcement Network, Central Intelligence Agency, and other sources (as described below).

From this information, the Department will be able to formulate a targeted action plan based upon the strategic intelligence product and will be better equipped to identify key multi-jurisdictional drug trafficking organizations. The Department will then be positioned to refine its comprehensive plan of action to attack major drug trafficking organizations operating in this country. These drug trafficking organizations must be attacked nationally, as well as regionally and locally, and the plan will be implemented through existing regional (Organized Crime Drug Enforcement Task Force Program and High Intensity Drug Trafficking Areas) and local task forces.

The Department will implement its plan by arresting, prosecuting, convicting, and incarcerating members of these multi-jurisdictional drug trafficking organizations and forfeiting their ill-gotten wealth. Further, the Department will enhance efforts to reduce the production of illicit drugs in this country — particularly in the eradication of marijuana crops and dismantlement of clandestine methamphetamine laboratories. The U.S. Attorneys and other Federal law enforcement agencies also will continue to provide support and leadership to state and local governments in their counterdrug enforcement efforts. *See* Section I. of this *Drug Control Strategic Plan* ("The Attorney General's Vision for the Department's Drug Control Efforts").

The Department of Justice, at its main headquarters in Washington, D.C., has developed sever-

al specific strategies to address various drug threats facing this nation. For instance, Main Justice has created and implemented the Southwest Border Initiative, *National Methamphetamine Strategy*, the Caribbean Initiative, and heroin action plan. *See* discussions below.

Nevertheless, the Department does not neglect the needs of individual neighborhoods and communities. The U.S. Attorneys, as the chief Federal law enforcement officers in their respective jurisdictions — in conjunction with Federal, state, and local law enforcement agencies — address the particular drug threats in their districts. Each U.S. Attorney dictates counterdrug enforcement strategies and priorities in her/his district, based upon the drug threats and law enforcement capabilities and resources. The cases investigated and prosecuted by U.S. Attorneys collectively help to formulate the principles of the Department's overall counterdrug and anti-crime program and reflect the concepts embodied in this *Drug Control Strategic Plan*.

In most instances, drug trafficking organizations cannot be distinguished between their domestic and foreign components. Therefore, for organizational purposes of this *Drug Control Strategic Plan*, the Department will initially present its domestic enforcement efforts and programs, to be followed by the Department's international enforcement efforts and programs.

1. Domestic Efforts to Disrupt and Dismantle Drug Trafficking Organizations.

a. Department of Justice Domestic Objectives Relating to Drug Trafficking Organizations.

The Department's objectives to enhance domestic counterdrug investigative and prosecutive efforts include the following:

- To disrupt and dismantle the leadership, command, control, and leadership of drug syndicates, gangs, and traffickers of illicit drugs,

DRUG CONTROL STRATEGIC PLAN

and to target multi-jurisdictional drug trafficking organizations that replace previously-disrupted cells, by:

- Targeting drug traffickers and their organizations in OCDETF (or equally complex) investigations and prosecutions;
- Incorporating and coordinating domestic and foreign strategic investigative and intelligence information from all sources (including the law enforcement agencies, intelligence community, and financial databases);
- Intercepting and suppressing shipments of marijuana, heroin, cocaine, and methamphetamine (*see also* discussion above pertaining to interdiction efforts, under Section V.D., *National Drug Control Strategy* Goal #4);
- Having U.S. Attorneys develop and implement local law enforcement drug strategies at the district and regional levels to complement the national efforts;¹⁵
- To reduce the production of illegal drugs through enforcement efforts by:
 - Targeting rogue chemical companies that illicitly divert precursor and essential chemicals;
 - Eradicating marijuana grown within the United States;
- To foster coordination and cooperation among DOJ components and their Federal, state, and local counterparts in investigations and prosecutions to ensure that local, regional, and national drug priorities are addressed vigorously;

- To further enhance the relationship between the Organized Crime Drug Enforcement Task Force and High Intensity Drug Trafficking Area programs;
- To identify and respond quickly and effectively to emerging problems, such as specific drug types or geographic areas, or emerging organizations through continuous monitoring and analysis of strategic investigative and other information; and
- To enhance integrity and anti-corruption law enforcement efforts.

b. Department of Justice Domestic Efforts Targeting Drug Trafficking Organizations.

The Department employs all available law enforcement techniques to investigate and prosecute drug trafficking organizations operating in the United States — including court-authorized electronic surveillance, controlled deliveries, undercover operations, financial analyses, and investigative grand juries. Criminal investigations emphasize the disruption and immobilization of organizations through arrests and prosecutions of the major leadership and forfeiting their assets. Resources are utilized to attack the command and control structures of the organizations as a means of dismantling these organizations and rendering them incapable of functioning as viable trafficking groups.

(1) Counterdrug Strategic Investigative and Intelligence Information. As discussed previously, the Department, Office of National Drug Control Policy, and Central Intelligence Agency are coordinating an inter-agency effort (including the Departments of the Treasury, State, Defense, and Transportation) to review the U.S. drug intelligence architecture and functioning. This review entails an

¹⁵ As the Department reports its counterdrug performance results to Congress periodically, the *Drug Control Strategic Plan* will be refined and revised, as needed. Through that process, the Department intends to incorporate input received from the U.S. Attorneys' local and regional counterdrug strategies.

DRUG CONTROL STRATEGIC PLAN

inter-departmental effort to study the law enforcement and intelligence community structures and capabilities with the objective of enhancing the efficiency of collection, analysis, and dissemination of useful information. Specifically, the review will: delineate the mission and functions of existing counterdrug intelligence activities; analyze existing information-sharing and coordination mechanisms; identify consumer needs and examine effectiveness of existing Federal activities; and identify areas and make recommendations where adjustments could lead to improvements.

Once this review is completed and its recommendations acted upon, the Department should be able to glean the strategic intelligence product for DOJ's targeted action plan. DOJ will continue to refine its work as this plan is being developed. *See* discussion above, under Section I. of this *Drug Control Strategic Plan* ("The Attorney General's Vision for the Department's Drug Control Efforts"). The Special Operations Division, a multi-agency investigative and strategic coordinating entity, appears to set a prime example for how intelligence coordination should work.

The Department's National Drug Intelligence Center (NDIC) also provides counterdrug intelligence information analysis and support to Federal law enforcement and intelligence agencies. NDIC is unique within the counterdrug community for its scope, objectivity, and commitment to support integrated strategic planning and national policy.

NDIC's primary role is to produce analysis of drug trafficking organizations, emerging trends and patterns, and national threats posed by the drug trade. NDIC also disseminates timely information on the drug trade to state and local law enforcement agencies. NDIC generates strategic assessments — Baseline Assessments; Strategic Organizational Drug Intelligence; and Special Projects. In addition, NDIC provides real-time, on-site review and analysis of documentary and computerized evidence obtained from significant trafficking organizations through enforcement actions.

NDIC is currently involved in a variety of public projects, including ones assessing the nature

and scope of Colombia-based money laundering organizations, Russian organized crime syndicates, Nigerian and Dominican drug trafficking organizations, and Mexican financial organizations trafficking drugs and laundering proceeds.

(2) Prosecutive Efforts by U.S. Attorneys.

The U.S. Attorney is the chief law enforcement officer for each Federal district. The U.S. Attorneys, at the direction of the Attorney General, have made combating drugs a top priority in their overall prosecution efforts. Indeed, drug prosecution work-years rank first or second among all work-year categories in 86 percent of all U.S. Attorneys' Offices (USAOs). Nationwide, attorney work-years devoted to drug cases accounted for 28 percent of all criminal attorney work-years in fiscal year 1996 and 29 percent in fiscal year 1997. No other single program received this level of effort or attention among the U.S. Attorneys' Offices.

Although the level of effort devoted to drug cases in USAOs is consistently high, it is important to note that each U.S. Attorney exercises discretion in how to approach drug problems in the district. Prosecution policies differ based upon the nature of the drug threat in each respective district, Federal resources available in the district (including court, detention, agent, and prosecution resources), and the ability of state and local prosecutors to handle drug prosecutions within the district. Given the range of circumstances around the country touching on these variables, prosecutorial discretion at the local level is not only necessary, it is desirable.

For example, a USAO may set a low prosecution threshold if state and local resources are lacking or if state laws are inadequate to address various types of drug offenses. Conversely, another district may face such a large flow of drugs that resource management becomes a primary concern. Each U.S. Attorney, working with state and local agencies, must select the cases that will have the greatest impact on drug trafficking in that district and ensure that smaller cases do not escape the system. By varying their approaches based upon the circumstances of each district, U.S. Attorneys can utilize resources where they will have the greatest impact.

DRUG CONTROL STRATEGIC PLAN

The U.S. Attorney is uniquely situated to stimulate the kind of Federal, state, and local coordination and cooperation needed to ensure that the combined resources are targeting the most serious drug threats facing American communities. The Attorney General has directed that each U.S. Attorney meet with Federal, state, and local law enforcement heads in her/his district to develop a comprehensive counterdrug strategy and drug problem assessment. These representatives will work together to develop a collaborative drug strategy that draws upon the resources and considers the limitations of each level of government. The goal is to identify gaps in existing law enforcement programs and devise a plan to address those gaps, as well as enhance existing programs and efforts. Once these district-level strategies are developed, they will be aggregated to maximize their impact across the country and ensure that Federal prosecutors and investigators are working together in a cohesive, coordinated fashion toward enforcing this nation's drug laws effectively. *See* Appendix H (U.S. Attorneys' Measurements).

(3) Organized Crime Drug Enforcement Task Force Program. Since 1982, the Organized Crime Drug Enforcement Task Force (OCDETF) program has demonstrated its proficiency and diversity as an integral element of Federal counterdrug law enforcement efforts. The OCDETF program was created to mount a comprehensive attack against high-level drug trafficking, money laundering, and related enterprises (*i.e.*, gangs and violent offenders) through a multi-agency approach. The OCDETF program is vertical in targeting organizations — ranging from international cartels to neighborhood distribution gangs terrorizing a community.

Each Federal agency has a specific mandate and unique abilities to combat drug trafficking. The OCDETF program brings nine Federal agencies,¹⁶ often supported by state and local agencies, together in a nationwide structure that combines member agencies' resources and techniques. *See* Appendix I (Organized Crime Drug Enforcement Task Force Program).

The OCDETF program actively coordinates involvement of state and local authorities in investigating and prosecuting major drug trafficking and related organizations. State and local participation significantly expands the available resources and broadens the choice of venue for prosecution.¹⁷ In fiscal year 1998, approximately 700 state, local, and county agencies are projected to participate in the program, and nearly 5,800 state, local, and county officers will provide support to OCDETF investigations. *See* discussion above pertaining to the OCDETF program's Federal leadership provided to regional counterdrug efforts, under Section I. of this *Drug Control Strategic Plan* ("The Attorney General's Vision for the Department's Drug Control Efforts").

Time after time, OCDETF has been instrumental in dismantling major drug trafficking organizations. The OCDETF model works in every district in the country — in rural areas, urban centers, and beyond. OCDETF cases cross all categories and classes of drugs and target the major drug trafficking networks with ties to virtually every region of the globe — from Central and South America, to Africa, and to Southeast and Southwest Asia. These organizations are technologically sophisticated —

¹⁶ The OCDETF agencies are the DEA, FBI, INS, USMS, U.S. Attorneys, Bureau of Alcohol, Tobacco and Firearms, U.S. Customs Service, Internal Revenue Service, and U.S. Coast Guard. While not formal members of the OCDETF program, the U.S. Postal Inspection Service, Secret Service, Financial Crimes Enforcement Network, and Department of Housing and Urban Development participate in OCDETF investigations.

¹⁷ Four features of the OCDETF program facilitate coordination with state and local agencies: (1) state and local law enforcement officers can be deputized as Federal officers; (2) OCDETF facilitates the cross-designation of attorneys, where certain Federal attorneys participate in state prosecutions (and vice versa); (3) state and local agencies are eligible for reimbursement for designated expenses incurred when they participate in OCDETF cases; and (4) the OCDETF program contributes to the equitable sharing of assets forfeited with state and local agencies.

DRUG CONTROL STRATEGIC PLAN

combining state-of-the-art communications and transportation systems, complex money laundering operations, and witness intimidation and bribery to accomplish their ends. *See* Appendix I.

Early involvement of Assistant U.S. Attorneys in OCDETF cases permits attorneys to assist in the development of a case, formulate strategy, and provide legal advice as the investigation progresses. OCDETF prosecutors are dedicated full time to OCDETF matters and develop substantial experience and expertise in the use of sophisticated investigative techniques. Early OCDETF attorney involvement encourages the strategic use of asset forfeiture planning, and the USMS often becomes involved during an investigation to ensure that potentially seized assets can be properly maintained.

The OCDETF program relates specifically to individual cases against drug traffickers and their organizations; it is not a strategy or an initiative — such as the Southwest Border Initiative or *National Methamphetamine Strategy* (discussed below). OCDETF cases often arise from the DOJ strategies and initiatives and become multi-agency efforts targeting specific organizations.

Since its inception, the OCDETF program has been the centerpiece of the Department's focus in targeting high-level drug trafficking organizations. In that time, more than 9,000 OCDETF investigations have been initiated, resulting in more than 25,500 indictments, charging over 83,000 defendants. Greater than 55,000 members of trafficking organizations have been convicted, and more than 49,000 individuals have been sentenced to prison terms. In fiscal year 1997, OCDETF prosecutions achieved a conviction rate of 87 percent (4,074 defendants) in prosecutions of approximately 700 drug trafficking organizations. *See* Appendix I.

The OCDETF and the High Intensity Drug Trafficking Areas (HIDTA) programs are complementary counterdrug enforcement efforts. In contrast to the OCDETF case-specific program, HIDTA encourages the development of large, co-located multi-agency task forces in 17 designated geographical areas; HIDTA provides funding for

tangible items (e.g., office space, leased cars, computers, and other equipment), as well as funding for the administration of the task forces and state and local support. HIDTA does not provide funds specifically for Federal agencies or U.S. Attorney personnel. The resources of the OCDETF and HIDTA programs are used in tandem to maximize the resources of each, and the complementary relationship between the two programs should be promoted and encouraged. *See* discussion above pertaining to task force efforts, under Section I. of this *Drug Control Strategic Plan* ("The Attorney General's Vision for the Department's Drug Control Efforts").

(4) Southwest Border Initiative. The Department's Southwest Border Initiative (SWBI) was initiated by the Criminal Division, the Southwest Border U.S. Attorneys, DEA, and FBI in October 1994. The original purpose of the SWBI was to develop a regional strategy to disrupt and dismantle the most significant factions of the Mexican Drug Federation for their importation of cocaine, methamphetamine, and other illicit drugs into the United States, as well as for their involvement in public corruption at U.S. border crossings in the Southwest. Shortly after inception, the U.S. Customs Service and INS-Border Patrol joined in the implementation of the SWBI.

The SWBI represents the major Federal law enforcement investigative effort in this region, and it is closely aligned with the Administration's other counterdrug efforts in the region. There are several other agencies that participate in the effort along the Southwest Border, including the Departments of Defense, State, Transportation, Interior, and ONDCP.

The Department of Justice continues to devote significant resources to its Southwest Border Initiative and has achieved great success in that endeavor. Under the Southwest Border Initiative, more prosecutors and investigators have been dedicated to combating violent crime, drug trafficking, and smuggling along the U.S.-Mexico border. Federal funds also have been directed to state and

DRUG CONTROL STRATEGIC PLAN

local communities along the Southwest Border to hire hundreds of new police officers. The Department also has launched the Southwest Border Forfeiture Initiative to supplement current efforts targeting forfeiture of real estate and other properties that have been illegally obtained or used to facilitate trans-border trafficking of drugs and illegal aliens. *See* discussion above pertaining to Southwest Border Forfeiture Initiative, under *National Drug Control Strategy* Goal #2, Section V.B.3.

In addition, the Special Operations Division (SOD) — a multi-agency project consisting of DEA, FBI, U.S. Customs, and the Department's Criminal Division — has coordinated many Southwest Border Initiative investigations and prosecutions, as well as numerous other cases. The mission of SOD is to coordinate and provide resources for regional and national criminal investigations and prosecutions against major drug trafficking organizations threatening the United States. This mission is routinely performed seamlessly across investigative agency and district jurisdictional boundaries. *See* discussions above pertaining to the Southwest Border Initiative, Special Operations Division, and coordinated enforcement efforts against major organizations, under Section I. of this *Drug Control Strategic Plan* ("The Attorney General's Vision for the Department's Drug Control Efforts").

Several law enforcement successes have been achieved as a result of the Department's Southwest Border Initiative; one example is discussed below:

Operations LIMELIGHT and RECIPROCITY targeted cells of the notorious Amado Carrillo Fuentes Organization (ACFO) operating in the United States from the West Coast to New York City. Operation LIMELIGHT began in Imperial County, California as a DEA investigation in August 1996. Operation LIMELIGHT focuses on an ACFO transportation and distribution network being operated out of California, with cells in New York City, McAllen, Texas, San Diego, Los

Angeles, Philadelphia, Chicago, and Rockford, Illinois. The investigators believe that the network smuggled more than 1-1/2 tons of cocaine throughout the United States monthly concealed in crates of fresh produce. Before its conclusion in August 1997, Operation LIMELIGHT included participation by several state and local investigative agencies, as well as the U.S. Customs Service and Internal Revenue Service. During the course of Operation LIMELIGHT, more than four tons of cocaine and nearly 11,000 pounds of marijuana were seized, and 48 persons were charged with drug-related offenses. The investigation netted more than \$7 million in drug-related proceeds.

Operation RECIPROCITY initially focused on the suspected drug trafficking activities of the ACFO in Los Angeles and New York City. It soon grew into a multi-agency Federal, state, and local investigation which revealed that the ACFO was routinely smuggling large quantities of cocaine and marijuana from California to New York City hidden in false compartments of tractor trailer trucks and in hollowed-out stacks of plywood. In addition to participation by DEA, FBI, INS-Border Patrol, U.S. Customs Service, and state and local investigative agencies, Operation RECIPROCITY included full participation by U.S. Attorneys and state prosecutors in several cities across the country, including New York, El Paso, Grand Rapids, and Tucson. From the time Operation RECIPROCITY was initiated in October 1996, until the time of its conclusion in August 1997, more than 55 individuals have been charged, and more than seven tons of cocaine and 2,800 pounds of marijuana were seized. The investigation netted more than \$11 million in drug-related proceeds.

See Appendix J (Southwest Border Initiative Highlights and Accomplishments).

DRUG CONTROL STRATEGIC PLAN

DEA and FBI — in cooperation with other Federal, state, and local law enforcement agencies — are focusing increased strategic efforts, investigative expertise, and technical resources on the major Mexican drug trafficking organizations responsible for smuggling vast quantities of cocaine, heroin, marijuana, and methamphetamine across the Southwest Border. In addition, DEA and FBI provide operational planning, strategic information, and training to the Government of Mexico law enforcement authorities to strengthen their institutional capacity to collect strategic information, attack production capability, conduct transshipment interdiction, investigations, and asset forfeitures, and prosecute drug traffickers.

In addition, since late 1995, the Department's Criminal Division has been working with the Southwest Border Council (comprised of U.S. Attorneys and investigative agency representatives in the region) to ensure that anti-corruption enforcement remains a top priority along the Southwest Border. The Criminal Division has been the coordinator and facilitator of the Department's administrative and law enforcement efforts to address such corruption issues and provide counsel and personnel, as appropriate.¹⁸

In October 1997, the Criminal Division sponsored the Southwest Border Corruption Conference which stimulated frank and open discussions about the nature and extent of corruption with Border-related duties. In addition to presentations on substantive legal and investigative issues of importance to border corruption prosecutions, the Conference included Working Group sessions designed to facilitate cooperation among the key law enforcement personnel.

Furthermore, DEA and FBI, along with the Office of the Inspector General, U.S. Customs Service, and Internal Revenue Service, have developed and implemented multi-agency Border Corruption Task Forces to combat drug-related corruption along the Southwest Border. Such Task Forces have been implemented in San Diego, California; Tucson, Arizona; El Paso, Texas; and Albuquerque, New Mexico. These Task Forces work with state and local law enforcement to gain information regarding potentially corrupt public officials and conduct investigations of criminal organizations which use the services of corrupt officials who engage in illegal activities.

(5) Enforcement Efforts in the Caribbean Region. A significant drug trafficking route into the United States is through the Caribbean Sea — specifically, through south Florida, Puerto Rico and the U.S. Virgin Islands. The massive coastline between Brownsville and Key West provides maritime and air smugglers with thousands of sites for delivery of illicit drug shipments. In 1996, DEA and FBI conducted a joint assessment of the drug trafficking and other crime issues in the Caribbean region and developed an action plan.

In July 1997, the Department formulated the Caribbean Regional Operational Plan (CROP), which combined the law enforcement efforts of DEA, FBI, INS, and U.S. Customs Service. This plan adopts a multi-agency, multi-jurisdictional approach and is oriented towards investigative and prosecutive efforts. It includes the enhancement of capabilities and resources throughout the region. Implementation of this plan would complete efforts to shield the southern border by closing the Caribbean “backdoor” and complement

¹⁸ In addition to the special attention devoted to the Southwest Border, the Department continues to make the investigation and prosecution of drug-related corruption involving law enforcement officials a high priority, irrespective of where it arises. Recent high-profile drug-related police corruption cases in Cleveland and Boston are a product of a broad-based Federal attack on local police corruption. The Department's efforts to address drug-related corruption continue to be enhanced and supplemented by coordinated and independent anti-corruption investigations and prosecutions by state and local agencies.

DRUG CONTROL STRATEGIC PLAN

other successful programs in the area. *See* discussion above pertaining to the Caribbean Initiative, under Section I. of this *Drug Control Strategic Plan* (“The Attorney General’s Vision for the Department’s Drug Control Efforts”).

(6) Enforcement Efforts Against Trafficking in Methamphetamine and Precursor and Essential Chemicals. Methamphetamine enforcement efforts are a top priority of Federal law enforcement. The Department will continue its cooperative partnerships among Federal, state, and local agencies. In June 1994, DEA issued a comprehensive threat assessment addressing several methamphetamine themes: availability, price, purity, and use patterns; methods and patterns of illicit manufacture; manufacturing and distribution organizations; and field office assessments. While the Department continued to address the regional problem with state and local counterparts, it recognized that methamphetamine was emerging as a national threat. In order to address this threat aggressively, DEA gathered experts from across the country at a National Methamphetamine Conference to develop a national strategy to combat the trafficking and use of this insidious drug and to strengthen law enforcement capabilities.

Thereafter, each U.S. Attorney assessed the methamphetamine threat in their respective districts and together with the federal, state, and local agencies, came up with a plan to address the problem. Law enforcement agencies continue to develop investigative information on methamphetamine trafficking organizations and clandestine laboratories, and based upon this information, Federal, state, and local law enforcement agencies are targeting and pursuing the highest-level and most violent methamphetamine traffickers.

In some cases, U.S. Attorneys developed regional plans to address the methamphetamine problem. Indeed, the Midwest Methamphetamine Strategy was developed under the leadership of the region’s U.S. Attorneys and DEA representatives, and it has led to the establishment of the only High

Intensity Drug Trafficking Area focusing solely on methamphetamine. Also, many of the U.S. Attorneys and DEA representatives have convened meetings calling for a public health response to methamphetamine’s increased usage.

The Administration demonstrated its commitment to fight the trafficking and use of methamphetamine by issuing its *National Methamphetamine Strategy* of April 1996, which was updated in May 1997. The *Strategy* and *Update* recognize that in order to tackle the methamphetamine and precursor and essential chemical problems, the Government must adopt a comprehensive, multi-disciplinary approach — including concrete suggestions in the areas of legislation, training, chemical regulation, international cooperation, environmental protection, education, and treatment. The *Strategy* and *Update* call upon the collective wealth of experience and expertise of the Departments of Defense, Education, Health and Human Services, Justice, State, Treasury, the Environmental Protection Agency, and ONDCP, as well as noted experts, academicians, and scholars, to work together in preventing the spread of methamphetamine trafficking and use. *See* discussion above pertaining to *National Methamphetamine Strategy*, under Section I. of this *Drug Control Strategic Plan* (“The Attorney General’s Vision for the Department’s Drug Control Efforts”).

Congress also took an important step when it approved the Comprehensive Methamphetamine Control Act of 1996, which was subsequently signed by the President. The Act incorporates many elements that had been suggested in the *National Methamphetamine Strategy*, including increased penalties and regulatory provisions for precursor chemicals.

(a) Methamphetamine Investigative and Prosecutive Efforts. Recognizing methamphetamine as a growing threat, numerous cases have been investigated and prosecuted by Federal agencies in

DRUG CONTROL STRATEGIC PLAN

close coordination and cooperation with the state and local law enforcement agencies. For example:

- **Operation META** was a seven-month national enforcement effort involving a wide variety of Federal, state, and local investigative and prosecutive agencies (including OCDETF and HIDTA task forces, as described above) which was concluded in December 1997. Operation META was the first national operation targeting an international methamphetamine production and distribution organization from top to bottom. Operation META targeted the Amezcua Contreras Organization's methamphetamine operations in Mexico and its U.S. cells and customers. Charges stemming from Operation META were filed in Los Angeles, Dallas, and Greensboro, North Carolina. More than 120 persons have been charged, and more than 133 pounds of methamphetamine, 90 gallons of methamphetamine solution, 1,100 kilograms of cocaine, and nearly 1,700 pounds of marijuana were seized as part of the operation. In addition, the investigation netted nearly \$2.3 million in currency and 12 firearms. During the course of the operation, law enforcement officials in California raided three clandestine laboratories, including one located approximately 20 feet from a public equestrian center and another located across the street from a child day-care center, where the methamphetamine manufacturers had fled the scene leaving 15 gallons of methamphetamine "cooking" in the production process. *See* Appendix K (Methamphetamine Enforcement Highlights and Accomplishments).
- **Operation VELOCITY** was initiated by DEA in April 1996, to support investigations of domestic methamphetamine distribution groups and clandestine laboratory operators. Operation VELOCITY provides support to significant methamphetamine cases to supplement the resources within DEA's Field Divisions and assist state and local law enforcement agencies in their investigations by providing suspect information, informational trends on methamphetamine traffickers and clandestine laboratories, chemical formulas utilized, and safety equipment. *See* Appendix L (DEA Operation VELOCITY).
- **Clandestine Laboratory Seizures.** In fiscal year 1997, DEA Clandestine Laboratory Enforcement Teams seized 1,274 clandestine methamphetamine laboratories — a 74-percent increase over the number of laboratories seized (734) in fiscal year 1996. DEA, in conjunction with the California Bureau of Narcotics Enforcement, the Western State Intelligence Network, and the El Paso Intelligence Center, continues to work to establish a National Clandestine Laboratory Database, which will assist law enforcement agencies in methamphetamine investigations and provide a national perspective on clandestine laboratories. *See* discussion above pertaining to raids against clandestine methamphetamine laboratories, under Section I. of this *Drug Control Strategic Plan* ("The Attorney General's Vision for the Department's Drug Control Efforts").
- **Operation BACKTRACK** targets rogue chemical companies that supply clandestine methamphetamine laboratories. Operation BACKTRACK focuses on the identification, disruption, and prosecution of distribution networks that illegally divert chemicals used to produce methamphetamine. To date, Operation BACKTRACK investigations have resulted in the seizure of approximately 9,730 pounds of blended pseudoephedrine, 1,432 pounds of raw pseudoephedrine, and 67.8 million pseudoephedrine tablets. These figures would yield approximately 3,600 kilograms (8,000 pounds) of methamphetamine (using a 70 percent conversion ratio for the blended product (10 percent

DRUG CONTROL STRATEGIC PLAN

(7) Enforcement Efforts Against Heroin Trafficking. The recent trends in heroin's availability, purity, and consumption point to the urgency of the Department's task to address this burgeoning threat. Heroin trafficking organizations are becoming increasingly sophisticated and elusive and are poised to exploit cracks in law enforcement.

To be effective, a national anti-heroin strategy must take into account several features of the heroin trade that present unique obstacles to U.S. law enforcement. Unlike other illicit drugs, the bulk of the world's heroin supply is produced in countries that are virtually immune to United States influence — particularly Burma and Afghanistan — making cooperation with source countries extremely difficult.

Heroin's price structure also tends to favor traffickers, because even small quantities can be quite lucrative for drug trafficking organizations. Although heroin and cocaine prices may be comparable on the street level, heroin offers a substantially larger profit margin on the wholesale level. Heroin can thus be moved in smaller quantities than cocaine, yet still realize the same financial windfall, thereby making it easier to conceal and ensure that law enforcement seizures causing disruption to the operations are infrequent and uncommon.

As a result of heroin's price advantages, many South American cocaine trafficking organizations are now distributing heroin. In the last three years, South American heroin has accounted for a progressively larger proportion of the heroin seized in the United States, and South American organizations, with their aggressive marketing tactics, have begun to cultivate extensive heroin clienteles. In 1996, South American heroin accounted for 52 percent of the heroin seizures in the United States. These organizations are attracting new addicts by offering reduced prices and increased purity, thereby ensuring themselves a significant long-term market share. The upsurge in South American heroin reaching U.S. shores represents a serious threat because of the proximity and production potential of South American producer countries and the extensive trafficking resources controlled by such organizations.

Mexican organizations — which also control substantial trafficking resources — continue to supply large amounts of black-tar and brown heroin in the western United States. Within the past two years, Dominican drug traffickers employed by Colombian cartels have demonstrated their ability to transport and distribute heroin into the United States. In addition, West African trafficking organizations are threatening to invade the United States with their heroin; West African groups are especially difficult to disrupt and dismantle because their organizational structure is not hierarchical.

Therefore, the Department is designing the initial outline of the law enforcement component of a heroin plan patterned on the multi-dimensional approach employed in the *National Methamphetamine Strategy* (discussed above). The Department's heroin enforcement plan will incorporate the information gained from DEA's Heroin Name Brand Program which identifies the particular source of heroin based upon scientific analysis and other factors, and it can assist in the allocation of anti-heroin resources toward specific geographic regions. See discussion above pertaining to the heroin action plan, under Section I. of this *Drug Control Strategic Plan* ("The Attorney General's Vision for the Department's Drug Control Efforts").

In the meantime, the Department continues to place a high priority on heroin investigations and prosecutions — especially in gateway cities, such as New York and Miami, through which a significant amount of heroin enters this country. The Department will continue to target the upper echelons of major heroin trafficking organizations and develop effective Federal, state, and local partnerships and multi-agency task forces. In particular, the Department will explore the effectiveness of legislation that will ensure stiffer penalties for heroin production and movement of heroin; identify and prosecute money launderers to deny the heroin traffickers their ill-gotten gains; and encourage state and local law enforcement agencies to identify heroin trafficking trends and patterns within local communities.

DRUG CONTROL STRATEGIC PLAN

(8) Enforcement and Eradication Efforts Against Marijuana Trafficking.

(a) Marijuana Enforcement Efforts.

Enforcement activities are aimed at reducing the availability of cannabis in the United States by attacking trafficking, cultivation, and importation. The Department's marijuana enforcement plan works in concert with existing enforcement initiatives — such as the Southwest Border Initiative — to identify and target the major trafficking organizations responsible for the majority of the marijuana trade along the border and in the United States. Particular attention is directed toward major Mexican drug trafficking organizations, including the core groups targeted by the Southwest Border Initiative.

Marijuana trafficking attracts a wide range of smugglers — from novices to very sophisticated poly-drug enterprises. Thus, targeting marijuana smuggled across the Southwest Border has required a diverse, multi-agency approach. Several Southwest Border Initiative operations, conducted through the cooperation of Federal, state, and local law enforcement, have resulted in a better understanding of marijuana trafficking along the Southwest Border and the seizure of hundreds of tons of marijuana destined for the streets of the United States.

The investigative agencies direct and support major investigations and operations and target the highest levels of the major trafficking organizations, *i.e.*, those responsible for the greatest volumes of drugs and violence in a given region. In addition, DEA determines which elements of the organization are most vulnerable to law enforcement; DEA focuses on the organizations and key members who cultivate and distribute cannabis products, along with the seizure of drugs and forfeiture of assets.

(b) Marijuana Eradication Efforts. Although domestic cultivation of cannabis requires the attention of all levels of government, the nature of domestic marijuana production places it primarily within the jurisdiction and capabilities of state and

local authorities. Through coordinated planning and operations, the Department aims to enhance the ability of Federal, state and local agencies to suppress cultivation of marijuana and increase crop destruction. DEA's eradication program is coordinated through its Domestic Cannabis Eradication and Suppression Program (DCE/SP).

DCE/SP is the sole nationwide law enforcement program that exclusively addresses marijuana eradication. DCE/SP was initiated in 1979 with two multi-agency marijuana eradication operations — one in Hawaii and the other in California. Gradually, other states recognized the potential this program offered and began participating in it, and by 1985, all 50 states were actively involved. *See* Appendix N (Domestic Cannabis Eradication and Suppression Program).

DEA's DCE/SP maintains Operations EMERALD TRIANGLE (conducted in conjunction with the California state program, CAMPAIGN AGAINST MARIJUANA PLANTING (CAMP)); GRAND SLAM (Kentucky, Virginia, West Virginia and Ohio); DEEP STRIKE (Florida, Georgia and Tennessee); WIPE OUT (Hawaii); and FOUR CORNERS (Oklahoma and Texas). While these DEA operations provide coordination, investigative support, strategic information, training, and funding to suppression activities, the state and local law enforcement authorities manage the eradication and suppression of illegal cultivation on non-Federal lands or jurisdictions. Special emphasis is directed at sophisticated indoor growth operations of potent marijuana and outdoor growth operations on public lands.

DEA and the cooperating agencies are addressing increased indoor cultivation operations by employing advanced technologies to build strong cases against indoor cultivators. DEA Special Agents, along with their state and local counterparts, have utilized innovative analytical techniques to develop strong investigations.

DCE/SP is continuing its eradication efforts in a variety of ways — by manually cutting the plants with machetes and hauling them away to approved disposal sites, or by spraying herbicides, either from

DRUG CONTROL STRATEGIC PLAN

organization, reflecting the impact that successful prosecution has on the structure of the organization as a whole;

- Sophistication of techniques necessary to conduct the investigation (*i.e.* court-authorized electronic surveillance, undercover operations, and use of financial analyses);
- Agent and attorney resources contributed to the case by Federal, state, and local law enforcement agencies;
- Gravity of charges filed against defendants — in terms of Continuing Criminal Enterprises, RICO charges, conspiracy, etc.;
- Length of sentences resulting from defendants' convictions.
- Number of OCDETF and non-OCDETF drug cases charged by U.S. Attorneys. [Reporting DOJ components: EOUSA/Criminal Division (OCDETF)]
- Number of OCDETF and non-OCDETF drug defendants charged. [Reporting DOJ components: EOUSA/Criminal Division (OCDETF)]
- Number and percent of OCDETF and non-OCDETF drug defendants convicted (conviction rate). [Reporting DOJ components: EOUSA/Criminal Division (OCDETF)]
- Number and percent of OCDETF and non-OCDETF drug defendants sentenced to prison terms. [Reporting DOJ components: EOUSA/Criminal Division (OCDETF)]
- Number of new OCDETF investigations initiated. [Reporting DOJ component: Criminal Division (OCDETF)]
- Quantities of marijuana, methamphetamine, cocaine, and heroin seized. [Reporting DOJ components: DEA/FBI]
- Progress in completing and implementing local counterdrug strategies by U.S. Attorneys. [Reporting DOJ components: EOUSA/Criminal Division (NDDS)]
- Number of drug defendants handled per Assistant U.S. Attorney work-year (pending and opened cases). [Reporting DOJ component: EOUSA]
- Number of drug defendants and cases terminated per Assistant U.S. Attorney work-year. [Reporting DOJ component: EOUSA]
- Number of major rogue chemical companies diverting precursor and essential chemicals investigated and prosecuted. [Targeted number: Five major rogue chemical companies within the next two years.] [Reporting DOJ components: Criminal Division (NDDS, OCDETF)/DEA]
- Number of clandestine methamphetamine laboratories seized with DEA participation. [Targeted number: 1,000 clandestine laboratories annually.] [Reporting DOJ component: DEA]
- Quantity of marijuana eradicated through Domestic Cannabis Eradication and Suppression Program. [Targeted number of plants eradicated: 240 million plants.] [Reporting DOJ component: DEA]
- Extent and impact of tips and leads produced, developed, and disseminated through collection of strategic investigative and intelligence information. [Reporting DOJ components: DEA/FBI/SOD]

DRUG CONTROL STRATEGIC PLAN

- Agency participation and involvement of OCDETF in the planning stages of new HIDTAs, and participation of HIDTA representative at OCDETF meetings. [Reporting DOJ component: Criminal Division (OCDETF)]
- Extent to which OCDETF resources and expertise are used to assist the HIDTA program and its personnel. [Reporting DOJ component: Criminal Division (OCDETF)]
- Agency participation and evaluation of HIDTAs based upon adherence to HIDTA guidelines (including OCDETF case production) and fiscal accountability. [Reporting DOJ component: Criminal Division (OCDETF)]
- Progress in development and implementation of regional strategies to deter the use of U.S. mails and private carriers to transport illicit drugs. [Reporting DOJ component: Criminal Division (NDDS)]
- Progress in development and implementation of a multi-disciplinary heroin action plan, incorporating input from DEA's Heroin Brand Name Program. [Reporting DOJ components: Criminal Division (NDDS)/DEA/FBI]
- Evaluation of identification of emerging drug trafficking organizations and drug types. [Reporting DOJ components: DEA/NDIC/Criminal Division (NDDS)]
- Extent of anti-corruption enforcement efforts along the Southwest Border. [Reporting DOJ components: FBI/Criminal Division (PIS)/EOUSA/DEA/INS-BP/OIG]

In addition, the Department is planning to conduct special studies to measure the effectiveness of its counterdrug programs over a particular period of time. The Department would like to study the results of these programs based upon both quantitative and qualitative factors. The Department is

working towards developing the best criteria tailored specifically to evaluate and measure the success of these programs. The following programs are the ones that the Department anticipates evaluating:

- Organized Crime Drug Enforcement Task Forces in select geographic regions;
- Southwest Border Initiative;
- *National Methamphetamine Strategy* in select geographic regions;
- Domestic Cannabis Eradication and Suppression Program in select geographic regions;
- Heroin enforcement programs in a select geographic region; and
- Caribbean Initiative in Florida, Puerto Rico, and the Virgin Islands.

2. International Efforts to Disrupt and Dismantle Drug Trafficking Organizations.

Drug trafficking is truly an international operation, and trafficking organizations do not respect national boundaries or jurisdictional lines. Advances in telecommunications and transportation methods allow drug traffickers to sell their poison on the streets of the United States from locations outside the U.S. borders — either without ever having set foot in the U.S., or after having fled from the U.S. The rise in international air travel and reduced barriers between national borders allow members of drug trafficking organizations who commit crimes within the United States to flee to other countries.

Too often in the past, these criminals have remained beyond the reach of U.S. authorities in what have become countries of “safe haven” in some instances. The Department cannot permit such criminals to operate with such impunity,

DRUG CONTROL STRATEGIC PLAN

threaten the safety of American citizens, and escape prosecution by cowardly hiding in another country. Therefore, the Department of Justice responds to threats of international drug trafficking through bilateral and multilateral mechanisms.

In particular, the Department focuses a great deal of attention on drug trafficking organizations from countries south of the United States — referred to as the “Southern Frontiers” to include Mexico, Central America, the Caribbean region, and South America. In addition, the Department has started to focus law enforcement efforts on illicit drugs arriving into this country across the Northwest Border (primarily from British Columbia, Canada) and from Southeast and Southwest Asia.

a. Department of Justice International Objectives Relating to Drug Trafficking Organizations.

The Department’s objectives to enhance international efforts to combat foreign drug trafficking organizations include the following:

- To enlist the active cooperation of foreign governments and support their efforts to investigate and prosecute major drug traffickers and their organizations;
- To encourage all countries to deny safe haven to fugitives, irrespective of their nationality, and negotiate agreements enabling the prompt location, arrest, and extradition of international drug traffickers;
- To authorize and provide mutual legal assistance;
- To provide training and technical assistance to foreign counterparts;
- To establish international standards, goals, and objectives to combat international drug trafficking and continue successful cooperative efforts; and

- To create cohesive, multilateral pressure against governments that fail to take sufficient action to combat international drug trafficking.

b. Department of Justice International Efforts Targeting Drug Trafficking Organizations.

As law-abiding citizens move and communicate within this new community of nations, individual criminals and criminal organizations are traveling with ease across our borders, misusing modern communications and financial systems for their own criminal purposes, seeking to undermine cooperative law enforcement efforts through corruption, and precluding the common pursuit of criminal justice.

In response to those who would abuse the privileges of the global community, countries must find ways to work together more effectively in fashioning and implementing modern and flexible relationships and mechanisms of cooperation between and among governments — and to use combined resources and shared commitment to ensure that the benefits and rewards of international proximity and accessibility are reserved for those who abide by the law and respect the rights and lives of others.

(1) Assisting Foreign Authorities in Disrupting and Dismantling International Components of Drug Trafficking Organizations. As an extension of our domestic law enforcement efforts, the Department recognizes that the vast majority of drug threats facing the United States have their roots in foreign soil. The Department cannot reasonably expect that unilateral efforts will have as great a disruptive effect as those taken in concert with foreign counterparts. Therefore, the Department must assist and support foreign authorities in their efforts to disrupt and dismantle foreign components of drug trafficking organizations. The Department further recognizes that the effects of corrupting influences can have on foreign governments require the Department to provide assistance cautiously.

DRUG CONTROL STRATEGIC PLAN

(2) Requesting and Providing Mutual Legal Assistance. Obtaining physical custody of fugitives means little, absent the evidence needed to convict them at trial. Thus, one long-term goal is to create a network of mutual legal assistance treaties (MLATs). MLATs provide for the rendering of assistance at all stages of criminal investigations and prosecutions. Available assistance under MLATs includes bank or other financial records, witness statements or testimony, search and seizure of people and things, and immobilization and forfeiture of the proceeds of criminal activity.

The number of U.S. requests for such evidence located outside the United States continues to grow. In 1990, the United States made approximately 900 requests for mutual legal assistance in criminal matters. In 1996, that number increased to more than 1,600 requests. The Department — in close coordination with the State Department — has worked to negotiate 19 additional MLATs that will require ratification by the Senate, including agreements with Australia, Hong Kong and Poland. The U.S. Government also has signed a multilateral MLAT with the Organization of American States (OAS), which potentially could create MLAT relations between the United States and the 33 other member states of OAS.

(3) Denying Safe Haven to International Drug Traffickers and Criminal Fugitives. International extradition treaties remain the most effective legal mechanism to obtain the return of international fugitives; the United States is currently party to more than 100 such treaties. The Department of Justice, in close coordination with the Department of State, is involved in an active program to negotiate modern treaties in order to replace old, outdated instruments, and to create new extradition treaties where none previously existed. *See* discussion above pertaining to international extradition efforts, under Section I. of this *Drug Control Strategic Plan* (“The Attorney General’s Vision for the Department’s Drug Control Efforts”).

The volume of cases in which the United States seeks extradition of serious criminals located

in foreign countries continues to grow. In 1990, the United States sought the extradition of nearly 1,700 accused or convicted criminals. By 1996, that number had jumped to nearly 2,900, including numerous fugitives wanted for major drug trafficking offenses, money laundering, and other serious crimes committed against the United States. The ease and speed of modern travel have increased the number of fugitives wanted for serious drug trafficking and violent offenses under state and local law in recent years.

Congress has supported the aggressive diplomacy in establishing a comprehensive network of extradition agreements that deny safe haven to international fugitives. In August 1996, the Senate gave consent to seven new extradition treaties. Despite these gains, more needs to be done; the Department will continue its aggressive pursuit of international fugitives.

The Department also will promote the need for treaties to provide for the extradition of nationals, whenever possible. As a matter of fundamental law enforcement policy, the Department believes that persons should be brought before the courts in those countries which have suffered the greatest criminal harm and which are positioned to ensure fair and effective prosecution.

The Department’s advocacy of this position has begun to bear fruit, even in some countries that traditionally have not surrendered their own nationals. Several recent U.S. extradition treaties permit the extradition of nationals — including Bolivia, Thailand, and Argentina. The Government of Mexico has undertaken to extradite some of its nationals to the United States. Under current law, the Government of Mexico may authorize the extradition of its citizens only in “exceptional” cases, and in 1997, it deemed 10 more cases as “exceptional”¹⁹ (5 on drug charges).

For those countries that continue to refuse to surrender their nationals or do so only in certain cases — be it for legal or policy reasons — the Department will continue to encourage other countries to implement alternative ways of denying safe haven to criminal fugitives. For example, the

DRUG CONTROL STRATEGIC PLAN

United States urges such countries to transfer defendants to the United States temporarily to stand trial, with the understanding that if convicted, they will be returned to their home countries for service of sentence. Indeed, on November 13, 1997, the U.S. Attorney General and Mexican Attorney General Jorge Madrazo signed a treaty protocol addressing this very issue of temporarily surrendering a defendant-fugitive to stand trial in one country, while serving the sentence in the other country.

The Department also acknowledges that many of the treaties and relationships, currently in use, are outdated — setting up rigid rules and inflexible processes that preclude the Government from doing its job effectively. The treaties and relationships memorialize the status quo of decades past, with antiquated notions of proper international etiquette and restricted visions of the scope of criminality. As a result of these inadequacies, criminals continue to be able to escape justice in the international arena.

Based upon previous experience, treaties and international agreements can be drafted in a way that will not only cure the specific problems of today, but also provide flexibility to handle unknown or unanticipated problems and patterns of criminal behavior that may develop in the future. In extradition treaties, for instance, the Government must articulate concepts that recognize the broadest possible behavioral and geographic range of criminal conduct and provide a commensurate range of law enforcement responsiveness. Treaty relationships should ensure that criminals will be brought to justice in the place where they can be most effectively prosecuted, with due regard to the rights of the defendant and the rights of the victims, witnesses, and society at large. Modern systems and mechanisms must ensure expedited international exchanges of information and evidence between competent authorities and foster direct communication on matters of particular and immediate concern.

(4) Using Immigration Laws as an Effective Law Enforcement Tool. Where foreign drug traffickers and money launderers are found in this country, the Department aims to rid this nation of dangerous drug traffickers and criminals. The Department must send a strong message that it will not tolerate the presence of aliens who commit drug offenses or other crimes in the United States, and that those who think they can slip back following removal will be subject to stiff punishment should they try.

The Department will also emphasize that incarcerated criminal aliens should be deported immediately following their release, absent extraordinary circumstances. Thus, once they have completed their sentences — or, in appropriate cases, before their sentences are completed — the Department's policy is to deport them as quickly as possible. The Immigration and Naturalization Service recently began implementing an "Enhanced Institutional Hearing Program" to determine the deportation status at the beginning of a criminal aliens' sentences, or well before their release date, rather than at the end. This program, coordinated with BOP, as well as state and local agencies, enables more effective use of INS detention space and significantly reduces the threat to public safety by effecting immediate deportation upon completion of the sentence.

The U.S. Government uses extradition treaties to surrender fugitives from foreign justice located here in the United States. The numbers of foreign requests for extradition submitted to the United States continue to grow — in 1990, the Department received 536 such requests; in 1996, the United States received 1,069 requests. The ability to extradite fugitives to other countries serves the shared international goals of justice and fundamental fairness.

¹⁹ The individuals deemed extraditable in these "exceptional" cases have not yet been transferred, due to the extensive appellate review process in Mexico, or the requirement that they complete their Mexican sentences prior to surrender.

DRUG CONTROL STRATEGIC PLAN

(5) Leading International and Multilateral Policy Coordination. To provide leadership and policy coordination in counterdrug enforcement efforts, the Department participates actively in many international — bilateral and multilateral — fora. The Department focuses on establishing international standards, obtaining agreements to exchange information, establishing linkages for cooperative investigations, and overcoming political resistance to ensure such cooperation. In this regard, bilateral and multilateral agreements on extradition, mutual legal assistance, maritime drug smuggling, and other anti-crime measures are critical.

The Department of Justice is a leader and participant in several important regional and international organizations that are committed to fighting drug trafficking. The Department works in multilateral fora to reduce both the supply and demand for illegal drugs. For instance, in the U.N. International Drug Control Program and the related Commission on Narcotic Drugs, the U.S. Government makes clear to its international partners the importance of combating drugs.

The 1988 U.N. Convention Against Illicit Traffic in Narcotic Drugs and Psychotropic Substances (Vienna Convention) is the principal international agreement underlying the world's efforts to stop the production and transportation of illegal drugs. Approximately 150 nations and jurisdictions around the world have signed, ratified or acceded to the Vienna Convention, which also serves as the basis for global precursor and essential chemical control, anti-money laundering measures, asset forfeiture provisions, extradition, and mutual legal assistance. The U.S. Government, an original Convention signatory, actively continues to promote its goals and objectives whenever possible.

(a) Multilateral, Hemispheric Counterdrug Alliance. The transnational nature of the drug threat requires a multilateral response. Therefore, the Department of Justice has supported the Administration's efforts to develop a multilateral counterdrug evaluation mechanism in this hemi-

sphere. Building on the 1994 Summit of the Americas, the United States and its regional partners in the OAS have proposed a framework for enhanced multilateral counterdrug cooperation. The Administration is exploring the possibility of a multilateral mechanism to monitor and evaluate drug control efforts in the Western Hemisphere.

(b) Multinational Fora. The Department is an active participant in the U.S. Government's role as principal sponsor of the Inter-American Drug Abuse Control Commission (CICAD) of the Organization of American States (OAS). OAS/CICAD, founded in 1986 as both a program and policy body, addresses issues of both drug supply and demand in the Western Hemisphere. Through OAS/CICAD, its members work together to reduce the supply of illegal drugs and control the chemicals used to manufacture them, as well as to educate people about the harmful effects of drug use and provide treatment to users.

In addition, the DEA participates actively in the International Drug Enforcement Conference (IDEC), an organization which endeavors to institutionalize regional cooperation of national senior drug law enforcement officials from countries in the Western Hemisphere. IDEC fosters the cooperation and commitment necessary to attack trafficking organizations at every link in the drug chain — from crop cultivation to processing and manufacturing, to transportation, to importation and smuggling, to distribution, and finally to retail sales and use. This cooperation leads to the development of coordinated multilateral investigations and operations.

The Department also works as an active member of the Dublin Group (Austria, Australia, Belgium, Canada, Denmark, France, Finland, Germany, Greece, Iceland, Italy, Japan, Luxembourg, Norway, the Netherlands, Sweden, Spain, Portugal, and the United Kingdom) to disseminate information about counterdrug policies and objectives and attempts to enlist their support for them. Smaller working groups of the Dublin Group, which operate around the world in smaller regional groupings sponsored by an individual host

DRUG CONTROL STRATEGIC PLAN

nation, provide an excellent forum to brainstorm about the host country's specific counterdrug programs and identify areas that need improvement.

The Department participates in the Colombo Plan, which bridges the supply and demand sides of the international drug problem, complementing bilateral U.S. assistance for regional law enforcement counterdrug training throughout South Asia with drug prevention programs in Southwest and Southeast Asia.

(c) Efforts to Combat Drug-Related Corruption. The U.S. Government has had substantial success in developing international standards — securing passage of the International Declaration on Public Security through the UN General Assembly (October 1996) — to provide a framework for international cooperation against crime. The Department has focused attention on passing standardized legislation to criminalize money laundering and other drug-related crimes.

The U.S. Government has also worked aggressively for international standards to thwart corruption of public officials. In 1990, the Department helped prepare a manual for the United Nations on practical measures for combating corruption, which is widely used to structure anti-corruption initiatives — particularly in developing countries.

Since that time, however, the international legal framework has changed significantly. On June 2, 1996, the United States joined 23 other OAS nations in signing the Inter-American Convention Against Corruption. The United States played a lead role in the negotiation of the Convention and repeatedly stressed the importance of the Convention targeting narco-corruption. Also, on December 17, 1997, the United States joined other member nations of the Organization of Economic Cooperation and Development (OECD) in signing the OECD Transnational Bribery Convention. The major focus of this convention is the global elimination of illicit payments in transnational business, which, among other things, prohibits payoffs to government officials by foreign drug traffickers and narco-cartels.

This growing network of multilateral agreements contains specific legal obligations to criminalize corruption and provide for extradition, mutual legal assistance, and other forms of cooperation. These new treaties make it especially important that nations have clear, unambiguous standards for dealing with drug-related corruption in a manner consistent with the international legal obligations.

(d) Engaging in International Anti-Money Laundering Efforts. The Department is a leader in the Financial Action Task Force (FATF), providing representation on the U.S. delegation and experts to participate in the mutual evaluation process. Comprised of 26 jurisdictions plus two regional bodies that represent the world's major financial centers, FATF is the premier international organization in this field. Under the U.S. presidency of FATF in 1996, the organization revised and reissued its Forty Recommendations on combating money laundering to mandate the reporting of suspicious transactions by financial institutions. A second round of mutual evaluations — assessments of a member's anti-money laundering measures by representatives from fellow members — was also started in 1996 and will continue through the next several years. During that same period, the FATF will likely increase its membership to expand the effectiveness of the organization. As the anti-money laundering norms established by the FATF continue to gain prominence throughout the world, so too do additional counterdrug money laundering practices.

The Department also participates in the Caribbean Financial Action Task Force (C-FATF), which is comprised of 21 regional jurisdictions and supported by five Contributing and Supporting Nations of which the U.S. Government is a key player. C-FATF has not only adopted FATF's Forty Recommendations, but it also has developed 19 region-specific Recommendations and is in the process of conducting mutual evaluations of its members. As technology improves and continues to provide new ways to launder illicit funds, FATF and C-FATF are attacking these problems by bringing together experts on issues, such as cyber-payment

DRUG CONTROL STRATEGIC PLAN

systems and internet gaming. C-FATF is emerging as a model for the development of regional anti-money laundering organizations which together should cover the globe.

(6) Enforcing the International Emergency Economic Powers Act. When appropriate, effective unilateral action may be taken by the U.S. Government to fight international drug trafficking. The Department recognizes that financial gain is the primary motivation of most international traffickers, and it aims to attack these criminals at their greatest interest — their money.

In October 1995, and each October subsequently, the President declared (and renewed) a “national emergency to deal with the unusual and extraordinary threat to the national security, foreign policy, and economy of the United States constituted by the actions of significant foreign drug traffickers centered in Colombia, and the unparalleled violence, corruption, and harm that they cause in the United States and abroad.”

As a result, the President directed the Secretary of the Treasury and Attorney General to identify the people and businesses acting as front companies or entities for significant drug traffickers centered in Colombia and to block their assets in the U.S. and in U.S. banks overseas, pursuant to the International Emergency Economic Powers Act (IEEPA). The Secretary of the Treasury subsequently prohibited Americans from trading or conducting financial transactions with these people and businesses, making it impossible for these fronts to conduct business in the U.S. or with Americans.

As of April 1998, the Secretary has prohibited trading and transactions with 424 of these front companies and entities. These actions not only prevent U.S. nationals and businesses from being unwitting aiders and abettors, and potential victims of drug traffickers, but they also protect the integrity of the financial institutions and strike at the very heart of the criminals’ operations. IEEPA is a powerful weapon which the Government has used for the past two years and continues to use today.

(7) Controlling Precursor and Essential Chemicals Diversion. There is a continuing need for chemical source countries to establish legal and cooperative mechanisms that will permit an uninterrupted supply of chemicals for industrial, scientific, and medical purposes, while at the same time preventing them from being diverted into the hands of drug producers and traffickers. The 1988 (Vienna) U.N. Convention established the foundation for international cooperation for control of precursor and essential chemicals.

Building on this foundation, DEA has taken the lead in developing and implementing an informal multilateral chemical control initiative whereby countries can share — on a voluntary basis — real-time information regarding chemical control issues. This effort also involves concerned international organizations, such as the International Narcotics Control Board and the World Customs Organization. This initiative is designed to curtail the international diversion of precursor and essential chemicals while at the same time allowing for the unimpeded flow of legitimate trade.

Mexico-based organizations are now a predominant force behind methamphetamine and precursor chemicals trafficking. The Department has been advising and training its foreign counterparts, particularly in Mexico, on ways to curb methamphetamine trafficking, as well as precursor chemical smuggling and diversion. Further, the Department has been augmenting the role of the existing U.S.-Mexico working group on precursor chemicals, which oversees the training of Mexican officials and the mechanics of the exchange of chemical information with Mexico.

Indeed, the Department is seeing some modest successes in Mexico. In late 1997, the Mexican legislature approved chemical control legislation, which establishes controls not only on the precursor and essential chemicals listed in the 1988 (Vienna) U.N. Convention, but also controls on machinery for the production of tablets and capsules used by traffickers to manufacture methamphetamine. In 1996, Mexican law enforcement authorities seized more

DRUG CONTROL STRATEGIC PLAN

than a ton of precursor chemicals — an unprecedented action. The Mexican Government has also promulgated regulations restricting the number of ports through which precursor chemicals may enter their country. DEA Office of Diversion Control has established an automated process for notifying the relevant Mexican authority of each impending U.S. export of selected chemicals to Mexico.

DEA has provided substantial training to Mexican law enforcement authorities — particularly in the area of chemical control. DEA has also held several chemical control training seminars in Belize, El Salvador, and Spain.

In May 1997, the Department was instrumental in negotiating and completing the Chemical Precursor Agreement with the European Union. The Agreement provides for advance notification of chemical shipments between the parties so that the importing country can verify the legitimacy of the proposed end use and end user. For some chemicals, shipment will not be permitted absent the authorization of the importing country. Further, the Agreement provides for information exchange on suspicious shipments to third countries.

(8) Training Foreign Investigators and Prosecutors and Institution Building. The Department acts as a worldwide leader on counter-drug enforcement, as well as general criminal justice issues. As such, the Department provides numerous training opportunities for foreign governments in overseas locations. *See* discussion above pertaining to training and institution-building efforts, under Section I. of this *Drug Control Strategic Plan* (“The Attorney General’s Vision for the Department’s Drug Control Efforts”).

The International Criminal Investigative Training Assistance Program (ICITAP) has the mission of enhancing law enforcement capabilities and institutional development of police agencies in foreign countries striving toward becoming democratic nations. ICITAP works to train individuals in foreign police academies, assisting in the formation of policy and procedures, structuring crime fighting squads and task forces, and furnishing experienced

police advisors for long-term police assistance. The Department, in close coordination with its foreign counterparts and among other U.S. Government agencies, supports cooperating foreign governments in conducting operations against major drug traffickers and money launderers.

The trained squads and groups target violent crime, organized crime, money laundering, and financial crime problems in the host country. By targeting the identified host country crime problems, law enforcement agencies target the drug trafficking associated with these criminal activities. In countries where the police agency identified an immediate need for counterdrug squads and groups, immediate indication of selection procedure and specialized training is provided to these groups.

In addition, the Overseas Prosecutorial Development, Assistance, and Training (OPDAT) office within the Criminal Division has provided substantial training and assistance programs in several Latin America countries, including:

- **Bolivia** - Provided technical assistance for the creation of the Attorney General’s Office (including an Inspector General’s Office) and trained more than 1,200 judicial officers; developed a two-volume prosecutor’s manual standardizing practices and procedures in criminal cases; assisted in the development of asset forfeiture and money laundering legislation; and coordinated the establishment of police-prosecutor working agreements;
- **Colombia** - Trained approximately 2,500 prosecutors and 800 judges in new Colombian Criminal Procedure Code; trained and will train investigators and prosecutors in investigative techniques and trial skills; assisted in forming special task force units; and developed prosecutor’s manual providing policy and procedure guidance.
- **Mexico** - Trained investigators and prosecutors in Mexico’s Organized Crime Unit and other units; and provided technical assistance

DRUG CONTROL STRATEGIC PLAN

to Attorney General's Prosecutor Training Academy.

- **Venezuela** - Provided technical assistance to Prosecutor General's Office to develop adequate training program to implement new criminal procedure code.

In the Newly Independent States (including the Russian Federation, Moldova, Ukraine, and Latvia), the Department has presented several Organized Crime Strike Force seminars and workshops to foster an understanding of appropriate investigative and prosecutive techniques in drug cases, as well as money laundering and asset forfeiture training programs.

c. Performance Indicators.²⁰

The Department of Justice will track the following information in order to report on its counter-drug successes in the international arena:

- Number of investigations, prosecutions, and forfeitures attained in Colombia against high-level Colombian trafficking organizations. [Targeted number: Three cases within the next two years.] [Reporting DOJ components: Criminal Division/DEA]
- Number of investigations, prosecutions, and forfeitures attained in Mexico against high-level Mexican trafficking organizations. [Targeted number: Three cases within the next two years.] [Reporting DOJ components: Criminal Division/DEA]

- Extent to which U.S. IEEPA sanctions disrupt the Colombian Cartel members' investments in legitimate and front companies and isolate them from U.S. businesses and the U.S. banking system. [Reporting DOJ component: Criminal Division (NDDS)]
- Progress in development and implementation of a law enforcement strategy for addressing criminal activities committed by Nigerians both in the United States and abroad. [Reporting DOJ component: Criminal Division (NDDS)]
- Number of new extradition treaties with other countries, with a view towards the extradition of nationals. [Targeted number: 10 new treaties within the next two years.²¹] [Reporting DOJ component: Criminal Division (OIA)]
- Number of new mutual legal assistance treaties with other countries. [Targeted number: 10 new treaties within the next two years.²²] [Reporting DOJ component: Criminal Division (OIA)]
- Number of foreign counterdrug investigators and prosecutors trained. [Reporting DOJ components: Criminal Division (ICITAP/OPDAT, NDDS, AFMLS, OIA)/DEA/FBI]
- Number of foreign governments assisted with drafting appropriate counterdrug legislation, and extent to which they are assisted. [Reporting DOJ component: Criminal Division (OIA, NDDS, AFMLS)]

²⁰ These Indicators are influenced greatly by the Administration's foreign relations priorities and certification decisions, as well as events and circumstances taking place in foreign locations and within foreign governments.

²¹ Entry into force of these treaties is dependent upon approval by the U.S. Senate and the legislature of the treaty partner, and hence not entirely within the control of the Department.

²² Entry into force of these treaties is dependent upon approval by the U.S. Senate and the legislature of the treaty partner, and hence not entirely within the control of the Department.

DRUG CONTROL STRATEGIC PLAN

- Participation in the U.S. inter-agency effort to develop multilateral counterdrug monitoring and evaluation program for the Hemisphere. [Reporting DOJ component: Criminal Division (NDDS, OIA)]
- Efforts to encourage foreign governments to adopt, enact, and implement appropriate domestic counterdrug legislation, in terms of precursor chemicals, money laundering, and asset forfeiture. [Reporting DOJ component: Criminal Division (OIA, NDDS, AFMLS)]

VI. Key External Factors.

In monitoring and evaluating the Department's counterdrug performance, there are a number of external factors which are not within the control of the Department of Justice. These factors will likely affect the extent to which the Department will achieve its designated goals and objectives.

A. Social Structural Factors.

Although the research is inconclusive, there is some reason to believe that the incidence of crime is affected by the proportion of youth in the population. The numbers of adolescents and young adults — now the most crime-prone segment of the population — are expected to increase over the next several years. Changes in demographic factors could alter the nature and seriousness of the drug problem. Absent bold and successful intervention, the Department can expect commensurate growth in youth crime, much of it violent.

B. Emergencies and Other Unpredictable Events.

DOJ law enforcement agents and prosecutors inevitably must respond to the ebb and flow of crime. Catastrophic events demand a rapid and major shift in priorities and resources, thereby detracting from other activities. Recent experience suggests that the unexpected will occur.

C. Changing Statutory Responsibilities.

The Department's missions, goals, priorities and workload are affected directly by laws enacted

by the Congress. In recent years, significant new responsibilities have been assigned to the Department. For example, the jurisdiction of Federal criminal law has been expanded dramatically, and statutorily-mandated changes in sentencing have escalated the prison population.

D. Budgetary Resources and Allocations.

In drafting this *Drug Control Strategic Plan*, the Department has made certain assumptions, including the ability to achieve certain goals based on projected future resource levels which are consistent with the President's budgets.

E. Changing Technology.

Technology holds great promise for strengthening the capabilities of DOJ law enforcement agencies. The Department, as well as the entire law enforcement community nationwide, increasingly depends on a robust commercial market to develop new and powerful technologies.

At the same time, however, technology is improving the ability of criminals to evade detection and apprehension and providing new opportunities for criminal behavior. The Department's capacity to meet its goal of investigating and prosecuting criminal offenses is dependent in large measure upon its ability to use technology wisely, including the continued capacity to monitor and intercept electronic communications of those suspected of breaking the law. It is vital that technology be the friend, and not the enemy, of law enforcement.

F. Effectiveness and Capacity of Law Enforcement Partners at the Federal, State, and Local Levels.

Preventing and controlling crime and maintaining sound regulatory policies require the coordinated efforts of all levels of government. The investigative and prosecutorial agencies of the Department of Justice play a vital role, but they need the continued support of their law enforcement partners. It is especially important that state and local agencies have the resources, skills, leadership, and assistance required to maintain an effective front-line presence. Sharing information and intelligence, participating in joint operations, and assisting in forensic and other investigative support activities are among the vital ingredients of true partnership.

G. Strength of Social Institutions and Economic/Political Concerns.

Achieving the Department's goals depends on strong institutions — the family, schools, churches, neighborhood groups, businesses, labor organizations, governmental bodies, the media, charitable organizations — that inspire trust, build community, promote civic responsibility and voluntarism and help preserve social order. The effectiveness and integrity of these institutions are the key to securing voluntary compliance with both the civil and criminal law. In addition, economic downturns can affect the use and availability of drugs. As well, health-related targets assume that no new drug-related infectious diseases will emerge in the coming years.

H. Cultural Attitudes and Practices.

Impacting the Department's work is the degree to which cultural attitudes and practices are consistent with the demands of a multi-racial, pluralistic society and reflect a continuing commitment to core values, including the rule of law.

I. Developments Overseas.

Issues of crime and justice increasingly transcend national boundaries and may involve treaty obligations and other foreign policy considerations. The will and capacity of foreign governments, for example, to take action against producers and traffickers in illegal drugs directly impact the effectiveness of anti-drug efforts in the United States.

1. Achievement of drug supply-related targets depends on political, economic, and social stability in source and transit countries. If these countries lack sufficient stability, it is unlikely that they will be able to focus resources on their drug problems, thus making multilateral anti-drug agreements and other international anti-drug efforts more difficult to implement.

2. U.S. law enforcement must maintain a presence in all major source and transit countries where diplomatic relations exist. If the U.S. Government cannot maintain and/or increase its presence, targets may be affected as supply reduction requires enforcement all over the world.

3. Major source and transit countries with which the United States has diplomatic relations must zealously oppose trafficker violations and

DRUG CONTROL STRATEGIC PLAN

exploitation of their territories. If these countries fail to cooperate in domestic and international counterdrug efforts, then supply reduction operations will face persistent obstacles due to political corruption.

4. The success of U.S. and foreign law enforcement efforts may depend upon the existence and implementation of new or updated treaties or agreements on extradition and mutual legal assistance. Congressional support, through expeditious

approval by the Senate of such treaties and agreements, is critical to the Department's ability to achieve its goals and targets in the international arena.

The Objectives and Indicators developed in the *Drug Control Strategic Plan* will likely require some adjustment to reflect new or changing circumstances. Recognizing these difficulties, the Department is committed to examining and refining the goals and targets set forth in this *Drug Control Strategic Plan*.

VII. Evaluations to Refine and Develop Goals.

The Department intends to expand its evaluation activities in order to refine and improve its goals and indicators, and capture and report meaningful information on program results. Measuring outcomes is difficult in any context, but particularly so in law enforcement. The Department of Justice is primarily guided principally by “doing what is just,” so, in some cases, this means not pursuing an unfounded or baseless claim. Therefore, “success” for the Department is when justice is served fairly and impartially; it is not reducible to simple numerical counts of arrests or convictions. “Success” also occurs when crime or wrongdoing is deterred through effective enforcement. Much of the success of counterdrug law enforcement is difficult to measure — crimes not committed, drugs not delivered, and lives not destroyed.

Reliance on raw statistics alone can be a misleading and inappropriate means to measure the Department’s counterdrug efforts. The Department’s emphasis in recent years on targeting the most significant drug traffickers and dismantling the most highly structured organizations is not easily reflected statistically. Large-scale drug investigations can span many months and involve a significant investment in resources. The use of traditional statistical measurements over a short period of time — without qualitative analysis — will not tell the whole story. Simply counting cases, arrests, or seizures — without some qualitative analysis of the impact of a specific criminal activity and criminal organization on the community — fails to measure the true accomplishments of law enforcement accurately.

Some of the indicators call for a narrative and qualitative assessment as a supplement to — or in lieu of — “hard data.” The success of the Department’s *Drug Control Strategic Plan* cannot be reflected in traditional numerical measures of cases filed or defendants charged.

Systematic evaluation of the Department’s major drug control programs is essential; evaluation is especially important in gauging the performance of law enforcement. Evaluation goes beyond performance measurement by identifying and explaining the linkages between the program activities undertaken and the results achieved. It assesses not just what happened, but why, and helps to identify alternatives.

The most intensive evaluations within the Department of Justice are directed toward the \$3.5 billion devoted to improving state and local justice systems. The Department’s principal research arm, the National Institute of Justice (a part of the Office of Justice Programs), evaluates major federal initiatives at the state and local level. NIJ also conducts evaluations of selected Byrne Program efforts and special programs, such as Weed and Seed and High Intensity Drug Trafficking Areas.

The Department’s NIJ-sponsored evaluations address two main concerns: (1) Federal oversight of state and local initiatives; and (2) practice at the state and local level. In major program areas (such as community policing, violent offender incarceration, and the Byrne program), NIJ-sponsored “national level” evaluations assess the cumulative effects of the legislation on public safety and on state and local justice processes, in order to provide useful knowledge for improving subsequent federal efforts. NIJ also sponsors “topical” evaluations of selected issues relevant to improving policy and practice in state and local justice organizations. Evaluation results from NIJ-sponsored studies, including its current portfolio of more than 200 ongoing evaluations, are widely disseminated by NIJ directly to policy makers and practitioners across the nation, as well as to federal officials.

Other Department components also sponsor and conduct systematic evaluations of selected programs. Indeed, the major counterdrug components

Appendix D

Mobile Enforcement Team Process

To determine the appropriateness of assigning a Mobile Enforcement Team, DEA evaluates the scope of the drug and related violent crime problem in the requesting community. During this pre-deployment assessment, DEA ascertains the capability of local law enforcement to address the situation. Particular attention is given to the violent crime rate in the requesting community and the impact of the targeted narcotics organization on the violence occurring there. If the pre-deployment assessment satisfies these criteria, the MET reviews

the strategic information gathered and — in coordination with the local department — drafts an action plan. The action plan identifies specific targets to be pursued during the deployment, as well as the objectives to be achieved.

The MET subsequently returns to the city, outfitted with the necessary surveillance and technical equipment to conduct a deployment. Following the completion of the investigative activity, DEA continues to provide support until Federal or state prosecution has been concluded. Evaluations are conducted six months after each deployment to determine the MET's success in meeting its stated objectives.

Appendix E

New York/New Jersey Geographic Targeting Order

The New York/New Jersey Geographic Targeting Order (GTO) arose out of the work of the El Dorado Task Force, a joint Federal, state, and local effort targeting systems and industries facilitating money laundering in the New York City area. The task force — composed of three United States Attorneys' Offices; U.S. Customs Service; Internal Revenue Service; U.S. Secret Service; New York City, Suffolk County and Nassau County Police Departments; New York State troopers; and New York State Banking Department — developed information that Colombian drug cartels were using certain money transmitters in the New York City area to return an estimated \$300 million annually in drug profits to Colombia.

Based upon this information, the Treasury Department, in August 1996, working in conjunction with the Justice Department, issued a GTO order to 12 designated New York/New Jersey money remitters that did more than 10 percent of their business with individuals in Colombia. The Order required these remitters and their more than 1,600 agents to report, on a special form, all transactions in cash or monetary instruments of \$750 or more going directly or indirectly to Colombia. The Order was subsequently expanded to 22 licensed remitters. Of the 22 licensed remitters covered by the GTO, three have surrendered their licenses, one has had its license suspended, and two others no longer remit funds to Colombia.

As a result of this GTO, money remitted to Colombia dropped significantly in the GTO area and elsewhere. The remittances to Colombia from the targeted financial institutions dropped between 70 and 80 percent — and in some cases, decreased by as much as 97 percent! At the same time, the number of special GTO reports filed were insignifi-

cant; therefore, it can be assumed that those remitting illicit cash to Colombia simply ceased performing this service. The seizures increased not just in the GTO area, but also in Miami, Boston, and several other locations, as New York/New Jersey-area drug dealers sought alternative outlets for their illegal proceeds.

Further, painstaking analysis of the GTO reports filed and ongoing analysis of the financial records has resulted in a number of criminal investigations and prosecutions in the Eastern District of New York:

- Stella Lopez, the owner and manager of two money remitting agencies, was charged with failing to file GTO-required reports. Lopez eventually pleaded guilty to structuring currency transactions illegally and was subsequently sentenced to a prison term of 21 months.
- Arrest warrants have been issued for Jose Ortiz, Guillermo Ortiz, and Ignacio Lobos on the basis of laundering drug proceeds and failing to file GTO reports. The suspects are the owners/operators of a money remitter agency and are currently fugitives.
- Fredys Soto, William Espitia, Edwin Medina, Oswaldo Cuzco, and German Puerta were charged with drug money laundering and failing to file GTO reports; defendants Soto, Espitia, and Puerta have been convicted.

The information obtained as a result of the GTO has formed the basis for issuance and execution of 21 search warrants, and some investigations are continuing.

Appendix F

International Asset Forfeiture Accomplishments

The Department of Justice was responsible for securing a commitment from the Government of Switzerland to repatriate approximately \$200 million held in Swiss banks. These funds were once controlled by noted cocaine trafficker Julio Nasser David and his ex-wife, Sheila Arana de Nasser, who was convicted in the Southern District of Florida. Nearly half of these funds were transferred back to the Swiss Government, pursuant to the U.S. asset sharing laws.

Similarly, the Department reached an understanding with Austria, Luxembourg, and the United Kingdom to repatriate to the United States approximately \$62 million traceable to the cocaine trafficking activities of deceased Colombian cocaine trafficker Jose Gonzalo Rodriguez Gacha.

Cooperation between the Governments of the United States and Switzerland resulted in the forfeiture of \$22 million of drug proceeds traceable to the Colombia-based Ortiz Gaitan organization, responsible for distributing more than 30,000 kilograms of cocaine in the United States. The Swiss authorities shared more than \$11 million with the U.S. Government.

The case of the Mexican drug trafficker, Juan Garcia Abrego, also illustrates the effectiveness of international asset forfeiture cooperation. In this case, U.S., British, and Mexican authorities, working together and sharing information, uncovered an elaborate money laundering scheme that used multiple offshore investments, foreign bank accounts, and money couriers to launder illegal drug proceeds. By the time of Garcia Abrego's arrest in 1996, joint investigative efforts had resulted in a forfeiture judgment of more than \$30 million.

Appendix G

Office of Juvenile Justice and Delinquency Prevention Anti-Violent Crime Programs

Additional examples of OJJDP programs targeting drug-related violent crimes include the following:

Jackie Robinson Center. The Jackie Robinson Center (JRC) provides a comprehensive youth development and delinquency and crime prevention program. JRC's services were designed to prevent New York City youth from becoming involved in drug and alcohol abuse, street gangs, and violence, and to alert, educate, and inform youth and their parents about these issues.

Congress of National Black Churches: National Anti-Drug/Violence Campaign (NADVC). The Department will continue to support the Congress of National Black Churches' national public awareness and mobilization strategy to address the problem of drug abuse and violent crime, and to enhance drug abuse prevention efforts in targeted communities.

Henry Ford Health System. The Henry Ford Health System (HFHS) has developed and initiated a program in Detroit, Michigan with Department funds. The underlying objective of the program is the reduction of gang and community violence among children attending Detroit schools.

Appendix H

U.S. Attorneys' Measurements

Because of the seriousness of the drug problem facing this country, Congress and the American people legitimately want to know how the U.S. Attorneys will measure their success with the enforcement strategy. Measuring outcomes is difficult in any context, but particularly so in law enforcement. For example, it is difficult to quantify the impact of one case in one district which eliminated one violent drug gang in one city or in one neighborhood. It is impossible to measure the resulting increased level of safety that allows residents to sit, once again, on their porches, or senior citizens to walk to the store, or children to play in the parks.

Assistant U.S. Attorneys (AUSAs) around the country engage in thousands of cooperative efforts with state and local counterparts to try and make their local communities — the ones in which AUSAs choose to reside — a better place to live. The declining crime rate in the United States is a result of the combined efforts of law enforcement at all levels of government, but it is impossible to parcel out credit in any quantifiable manner. While the ultimate purpose of law enforcement is clear — to

make America's communities safer places to live — measuring the precise impact of U.S. Attorneys' efforts is difficult to discern and measure, either quantitatively or qualitatively. See Section VII. of the *Department of Justice Drug Control Strategic Plan* ("Evaluations to Refine and Develop Goals").

Further, the U.S. Attorneys are concerned about ethical issues raised whenever targets are set for future arrests and convictions. The mission of the U.S. Attorneys is to ensure faithful execution of the laws, justice, and protection of the rights of individuals.

In response to the congressional mandate and public interest in seeking objective measures of success, U.S. Attorneys will strive to balance the tension between two competing interests: the need to report objective measures versus ethical and legal concerns. Accordingly, the U.S. Attorneys will report on a number of performance indicators and provide any necessary explanations, but will not make projections about what those indicators will be or should be in the future. The U.S. Attorneys will remain free to execute their principal mission of faithful and impartial execution of the laws, while aggressively pursuing those individuals who prey on America's children and innocent citizens.

Appendix I

Organized Crime Drug Enforcement Task Force Program

The OCDETF Process

The judicial districts throughout the country are divided into nine OCDETF regions. These regions share common trafficking patterns and often share similar crime problems. Each region has a “core city” which handles administrative matters, coordinates regional responses to drug trafficking trends, and assures quality control of OCDETF cases.

At the time a case is initiated, an Investigation Initiation Form is completed by the case agent; this form contains a narrative description of the case, as well as information about prospective defendants, drugs believed to be involved, illicit activities involved, prospective forfeitures, and agency participants. At the time the defendant is charged, an Indictment/Information Form must be completed by the Assistant U.S. Attorney handling the case. One form is completed for each defendant and includes charges filed, agency involvement, investigative techniques used, drugs charged, and illicit activities charged.

Following sentencing, a disposition and sentencing form is completed; it contains sentencing and plea (if applicable) information. At the end of the investigation and prosecution, an OCDETF Performance Report will be required which sets forth results achieved — whether the organization is dismantled or disrupted, defendant’s role in the organization, assets forfeited, and portions of the organization not dismantled as a result of the investigation.

Inter-Agency Participation in OCDETF Program

Since 1982, the OCDETF program’s history of resource assignments reflected the inter-agency participation from Federal law enforcement:

<u>Agency Participation</u>	<u>Percentage of OCDETF Investigations</u>
DEA involvement	81.3 percent
IRS involvement	62.2 percent
FBI involvement	46.0 percent
ATF involvement	35.7 percent
U.S. Customs Service involvement	26.7 percent
INS involvement (in OCDETF program since 1988)	23.5 percent

Historically, agency commitments (at the time of investigations initiated) have involved:

<u>Number of Agencies</u>	<u>Percentage of OCDETF Cases</u>
Three (or more) agencies	95 percent
Four (or more) agencies	83 percent
Five (or more) agencies	64 percent
Six (or more) agencies	45 percent
Seven (or more) agencies	28 percent
Eight (or more) agencies	16 percent

Investigative Techniques of OCDETF Program

The OCDETF program makes extensive use of a wide variety of investigative methods and techniques, many of which require considerable sophistication and persistence to exploit properly, as follows:

DRUG CONTROL STRATEGIC PLAN

<u>Investigative Technique</u>	<u>Percentage Use in OCDETF Cases</u>
Undercover techniques	57.6 percent
Investigative grand juries	55.4 percent
Financial analysis	26.1 percent
Pen register records	26.0 percent
Court-authorized electronic surveillance	25.2 percent

Also, confidential informants were used in investigations that resulted in 54.8 percent of OCDETF indictments.

Analysis of OCDETF Investigations and Prosecutions

There are more than 3,600 open OCDETF cases being worked by nearly 2,600 federal agents and attorneys, with the assistance of state and local agencies.

- In fiscal year 1997, there were 723 new OCDETF investigations initiated — an increase of more than 22 percent over new investigations initiated in fiscal year 1996.
- In fiscal year 1997, there were more than 1,897 OCDETF indictments against 6,206 defendants.
- In fiscal year 1997, 3,641 convicted OCDETF defendants were sentenced to prison terms (89.4 percent), and in fiscal year 1996, 3,982 convicted OCDETF defendants were sentenced to prison terms (88.8 percent).
- OCDETF sentences reflect convictions on charges that represent higher and more significant levels of criminal activities than non-OCDETF sentences. In fiscal year 1997, 51.3 percent of the OCDETF defendants received more than five years of imprisonment — as compared to 35.9 percent for non-OCDETF defendants. This reflects a continuation of the trend from fiscal year 1992 to 1997, where

50.3 percent of OCDETF defendants received five years or more imprisonment, as compared to 38.4 percent for non-OCDETF defendants.

OCDETF and Violent Crime Cases

With the escalation of drug-related violence, OCDETF has focused greater attention on criminal organizations which use or threaten to use violence to conduct their drug-related activities. In fiscal year 1997, more than 18 percent of OCDETF investigations initiated target organizations suspected of being involved in violent activities. In fiscal year 1996, 287 violent crime OCDETF-related cases were filed, and 413 violent crime defendants were charged; these figures represented 36 percent of the total Federal violent crime cases filed and 37 percent of the total Federal violent crime defendants.

A recent OCDETF investigation targeted a violent drug gang involving five members of the “Poison Clan,” a violent Jamaican urban drug organization operating in Brooklyn, New York, and distributing crack cocaine in Richmond, Virginia. Twenty-two members were apprehended; two remain fugitives. Sixteen defendants pleaded guilty, and five more were convicted at trial. Six of the defendants received life sentences. The defendants were involved in as many as 10 homicides in Virginia and New York, as well as various narcotics, weapons, and racketeering offenses.

OCDETF Highlights and Accomplishments

While there are many well-publicized OCDETF successes, some highlights are discussed below:

Prosecution of Distribution Cell of the Arellano Felix Organization. There are four pending indictments charging 13 members of the Arellano Felix Organization (AFO) with drug trafficking and one member with weapons offenses. The pending indictments include allegations of multi-ton shipments of cocaine and marijuana into the United States, transported on behalf of Colombian trafficking

DRUG CONTROL STRATEGIC PLAN

conducting a Continuing Criminal Enterprise. From January 1989 to April 1995, members of the Cantu organization transported more than 900 kilograms of cocaine and 30,000 pounds of marijuana from Mexico into the United States for distribution in Houston and Chicago. The Cantu organization utilized tractor trailers to haul the narcotics concealed under cabbage or in specially built compartments.

Major Drug Trafficker-Money Launderer and Co-Conspirator Convicted of Continuing Criminal Enterprise. In 1997, a jury convicted defendant Luis H. Cano of operating a Continuing Criminal Enterprise, conspir-

acy to distribute cocaine, substantive drug smuggling, and money laundering charges, and a second defendant, David Matos, of conspiracy to distribute cocaine, and substantive drug smuggling charges. Cano had smuggled more than 10,000 kilograms of cocaine from Colombia to the United States through Miami, Houston, and Los Angeles; Matos then received the cocaine and supervised its transportation to New York City. Following the verdicts, Cano was fined \$28 million based upon the amount of laundered funds and agreed to forfeit an additional \$600,000 in assets in the United States and \$2 million located in the Dominican Republic.

Appendix J

Southwest Border Initiative Highlights and Accomplishments

While there are many Southwest Border Initiative successes, some highlights are discussed below:

Enforcement Action Against Transportation Cell of the Arellano Felix Organization. There are at least 12 individuals that have been indicted in the District of New Mexico on charges relating to the transportation of six cocaine shipments across the border — totaling more than 1,000 pounds of cocaine. Members of this organization smuggled shipments of approximately 100 to 200 pounds of cocaine through Columbus, New Mexico and delivered the cocaine to the Los Angeles area. Once the cocaine was delivered, the proceeds were repatriated to Mexico through Tijuana.

Conviction of Leader of An Organization Smuggling Drugs across the Border through a Tunnel. On October 10, 1996, Enrique Avalos Barriga was convicted under the drug kingpin statute (operating a Continuing Criminal Enterprise), as the primary lieutenant for the Mexico-based trafficking organization headed by Joaquin Guzman Loera. The Guzman Loera organization was responsible for transporting more than eight tons of cocaine into the United States and specialized in transporting cocaine into the

United States in many devious ways — including a 1,450-foot secret tunnel under the border from Agua Prieta, Mexico to Douglas, Arizona, intended for couriers to hand-carry the drugs into the United States. More than 7.3 tons of cocaine attributable to the Guzman Loera organization were seized in Mexico, and DEA agents seized in excess of 700 kilograms of cocaine and \$700,000 of narcotics-related proceeds in the United States. Avalos Barriga was sentenced to life imprisonment and ordered to forfeit \$9.6 million.

Drug Transporters Indicted Following Largest Methamphetamine Seizure in the U.S. On November 12, 1996, 11 defendants were indicted in the District of New Mexico, following the February 1995 seizure of almost 700 pounds of methamphetamine and 200 pounds of marijuana. Two of the defendants, Hector Barron Ramirez and “Chicho,” are charged as principal administrators of a continuing criminal enterprise, the drug kingpin statute that is reserved for the highest echelon of participants within a drug trafficking organization. The methamphetamine and marijuana, which originated in Juarez, Mexico, had been packed into molded fiberglass containers and loaded into the trailer at a warehouse in El Paso, and was being transported to Chicago. This OCDETF investigation was conducted by agents of the DEA and U.S. Customs Service, as part of the Southwest Border Initiative.

Appendix K

Methamphetamine Enforcement Highlights and Accomplishments

While there are many successful methamphetamine prosecutions, some highlights are discussed below:

“Meth King” Sentenced to 19 Years for Manufacturing Methamphetamine. On July 2, 1997, in the Western District of Missouri, Michael Duncan was sentenced to more than 19 years of incarceration for operating a methamphetamine laboratory in suburban Kansas City (Missouri). The defendant had gained substantial notoriety as the “Meth King” for his multi-county methamphetamine operation. He currently faces other criminal charges relating to an incident involving the explosion of a methamphetamine laboratory. The case was investigated by DEA, Internal Revenue Service, Independence [Missouri] Police Department, Jackson County Drug Task Force, and Clay County Sheriff’s Department.

Life Sentence Imposed On Convicted Methamphetamine Trafficker. On April 24, 1997, in the Eastern District of Washington, a Federal court imposed a life sentence upon Bernard Montgomery who had been convicted of charges relating to his methamphetamine manufacturing and distribution operations in Oregon and Alberta, Canada. Co-defendants Lloyd Buxton and Edwin Dale McCain received sentences of 30-year prison terms. The convictions culminated a seven-month joint investigation involving the DEA, Royal Canadian Mounted Police, Harney County

[Oregon] Sheriff’s Office, Oregon State Police, and Lassen County [California] Narcotics Task Force.

Life Sentence For Convicted Methamphetamine Trafficker. On December 17, 1996, in the Eastern District of Missouri, Brian Dierling was sentenced to life imprisonment without the possibility of parole. A co-defendant, Arthur Holt, received a 420-months sentence, while two other co-defendants, Mark Perkins and Lewis Younger, each were sentenced to almost 20 years in prison for conspiring to distribute methamphetamine. This OCDETF investigation was the joint effort of the DEA, U.S. Marshals Service, Northeast Missouri Drug Task Force, Quincy [Illinois] Police Department, Illinois State Police, Missouri Highway Patrol, West Central Illinois Task Force, Adair County [Missouri] Sheriff’s Department, Putnam County Sheriff’s Department, Adams County [Illinois] Sheriff’s Department, Iowa Highway Patrol, Missouri State Fire Marshal’s Evidence Bureau, and Schuyler County [Missouri] Sheriff’s Department.

Chemical Sales Company Owner Sentenced for Illicit Sale of Methamphetamine Precursor Chemicals. On September 17, 1996, in the Western District of Texas, Hector Dominguez was sentenced to a significant term of imprisonment for possessing with intent to distribute 25 kilograms of phenylacetic acid, a precursor chemical used in the production of methamphetamine. Dominguez, an owner of a small chemical sales company in El Paso, was arrested as he attempted to sell the phenylacetic acid to a DEA informant.

DRUG CONTROL STRATEGIC PLAN

Largest Methamphetamine Trafficking Organization in Southeastern New Mexico Taken Down.

On July 17, 1996, in the District of New Mexico, 26 individuals were charged in a 28-count indictment alleging a conspiracy to possess with intent to distribute methamphetamine and related firearms charges, as well as forfeiture allegations against three pieces of land valued at more than \$8,000,000. The principal administrator of this organization and several of his family members were

engaged in operating a continuing criminal enterprise. The organization, centered in Roswell, New Mexico, was responsible for transporting 500 pounds of methamphetamine from California to New Mexico. This OCDETF investigation was conducted by law enforcement agents from DEA, FBI, U.S. Marshals Service, New Mexico State Police, Roswell Police Department, and Artesia Police Department.

Appendix L

DEA Operation VELOCITY

In fiscal year 1997, DEA initiated 3,173 methamphetamine, amphetamine, and crystal methamphetamine (“ice”) cases. Of these cases, nearly 90% (2,835 cases) were investigated jointly with state and local law enforcement authorities, and more than 44% of the convictions achieved in those cases were obtained in state and local courts.

Since its inception through January 31, 1998, Operation VELOCITY has resulted in the arrest and prosecution of 222 individuals on methamphetamine-related charges. DEA’s Operation VELOCITY has received 85 requests for assistance from

field divisions and accommodated 54 such requests. At the present time, there are 34 Operation VELOCITY investigations.

In addition, Operation VELOCITY has produced three training videotapes to educate law enforcement officers on some of the chemical hazards of clandestine laboratory investigations and methamphetamine investigations. Clandestine laboratory awareness posters, which detail and illustrate the chemicals found in the new “Nazi” formula laboratories, are distributed to clandestine laboratory enforcement teams throughout the United States.

Appendix M

DEA Clandestine Laboratory Training Schools

DEA maintains three programs which train Federal, state, and local agents, investigators, and police on how to perform their jobs with respect to clandestine methamphetamine laboratories:

State and Local Certification School (SALC):

This SALC School is a one-week program for state, county, and local police officers which exceeds the recommended course guidelines for “first responder” training, as mandated by the Occupational Health and Safety Administration. This course certifies state and local police officers to raid, process, and dismantle clandestine drug laboratories. The School also provides law enforcement information on the most recent trends, chemical diversion, suspect identification, and some investigative training.

DEA Basic Clandestine Laboratory Safety School: This School is a two-week program aimed at DEA Special Agents and Chemists who will be assigned to work on clandestine laboratory investigations in the field. The first week of this School is essentially the same as the SALC School (above) and then supplements instruction with another week of investigative techniques, raid planning, departmental regulations, and additional safety procedures.

DEA Advanced Clandestine Laboratory Safety School: This School is a one-week course designed for Team Site Safety Officers, who are

front-line supervisors at clandestine laboratory raids. These Safety Officers are responsible for hazard assessment, chemical processing, waste disposal, proper use of safety equipment, air monitors, and raid trucks.

In fiscal year 1996, DEA conducted 10 SALC Schools; in fiscal year 1997, DEA completed 24 such Schools, and in fiscal year 1998, 26 Schools are anticipated. Of the 24 Schools completed in fiscal year 1997, all but one were SALC Schools focusing on training efforts for state and local police officers. Plans have been formulated to train more than 1,000 state and local law enforcement officers to be “clandestine laboratory-certified” in fiscal year 1998.

In order to provide for the anticipated demand for clandestine laboratory training, DEA has expanded its clandestine laboratory certification training from Quantico, Virginia (Camp Upshur, U.S. Marine Corps Base), to include training facilities in Overland Park, Kansas, and San Diego, California. This regionalized approach will allow the training programs to be tailored to the particular needs of a geographic region.

By establishing two new training facilities, DEA's Clandestine Laboratory Training Unit has been able to accommodate more training equipment (i.e., four mock hazard assessment laboratories, two decontamination stations, 50 self-contained breathing apparatus units, etc.) and has provided substantial transportation savings and more time for instruction. The Overland Park training facility, in particular, is the most elaborate and well-equipped; the space is rented from the Overland Park Fire Department Training Center and includes a fire tower with smokehouse and extensive audio-visual facilities and classrooms.

Appendix N

Domestic Cannabis Eradication and Suppression Program

DEA coordinates the program by completing Letters of Agreement (LOA) with state and local law enforcement agencies. These agreements are grant-like funding contracts tailored to each state's marijuana problem and provide an individual plan of investigation and operations. At present, DEA has entered into 88 LOAs with law enforcement agencies nationwide for 1997.

The state DEA-DCE/SP coordinator and the lead state agency coordinator plan the utilization of the funds for the best eradication operations possible in the state. States receive from \$5,000 per year to \$700,000 per year depending on the intensity of the marijuana problem and the level of effort dedicated to marijuana eradication within the individual state. The operations and the investigations are conducted by state and local law enforcement agencies, because they are in the best position to determine the threats posed by marijuana cultivation in their region and the best ways to eradicate it, while not harming surrounding concerns.

Appendix O

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